#### URBAN MUNICIPAL

CA4 ON HBL A05 C51J85 2002

AGENDAS/MINUTES
LICENSING COMMITTEE
CITY OF HAMILTON

JAN. 30, 2002 ... NOV 20/02



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City of Hamilton

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GOVERNMENT DOCUMENTS

#### **AGENDA**

## **LICENSING COMMITTEE**

Wednesday, January 30, 2002

5:00 p.m.

Committee Room 110
Hamilton City Hall
71 Main Street West
Hamilton, Ontario



#### 1. DECLARATION OF INTEREST

#### 2. APPROVAL OF MINUTES

2.1 December 12, 2001

#### 3. PRIVATE & CONFIDENTIAL AGENDA

- 3.1 Show Cause Hearings:
  - 3.1.1 Abdulhadi Kreimeh Taxi Cab Driver Licence
  - 3.1.2 Greg Perrault Taxi Cab Driver Licence

(Confidential background material available at meeting)

#### 4. PLANNING AND DEVELOPMENT DEPARTMENT

- 4.1 Update on Aromatherapy (report to follow)
- 4.2 Chez "M" 95 King Street East (report to follow)

#### 5. OTHER BUSINESS

#### 6. ADJOURNMENT



#### URBAN MUNICIPAL

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City of Hamilton

URBAN MUNICIPAL

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GOVERNMENT DOCUMENTS

## **NOTICE OF MEETING**

## LICENSING COMMITTEE

Please be advised that the Licensing Committee will meet on

Wednesday, January 30, 2002

5:00 p.m.

Committee Room 110 Hamilton City Hall 71 Main Street West Hamilton, Ontario

**Agendas and Parking Permits will follow** 

PROBLEM STATE

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A CONTRACTOR

# CITY OF HAMILTON LICENSING COMMITTEE 2002 Meeting Schedule

All Meetings will be held in Committee Room 110 at 5 p.m. on Wednesdays

January 30

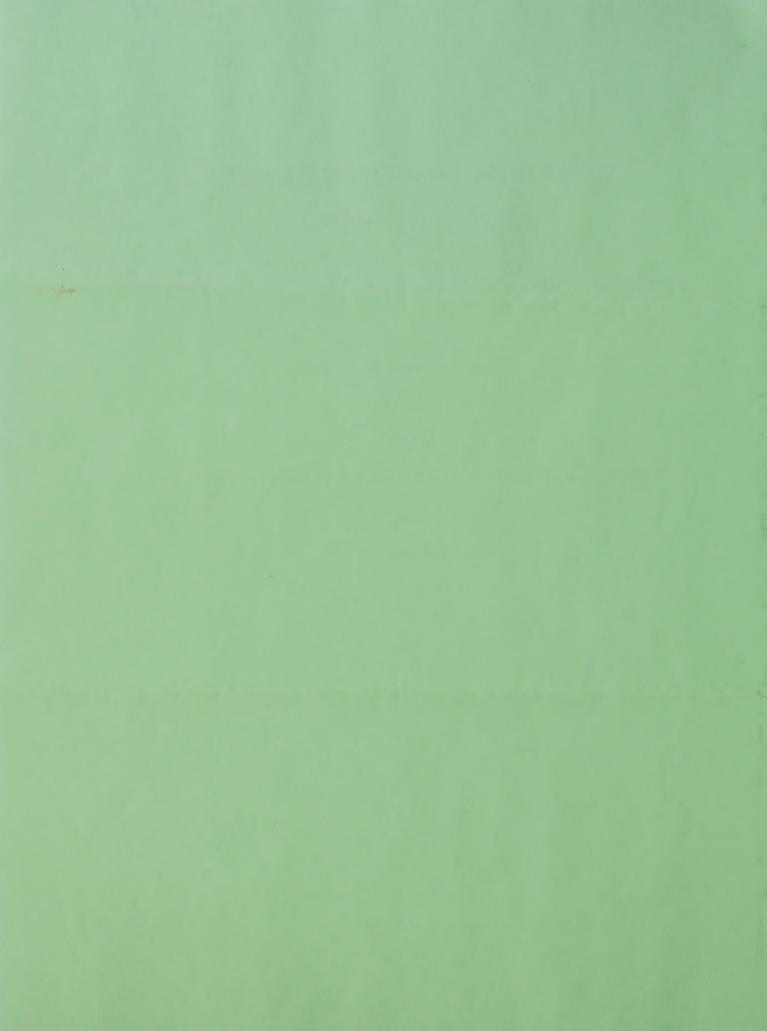
March 20

May 22

Meetings in June, July and August will be at the call of the Chair

September 18

November 20



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GOVERNMENT DOCUMENTS

City of Hamilton

#### **AGENDA**

### **LICENSING COMMITTEE**

Tuesday, February 19, 2002

5:00 p.m.

Committee Room 219 Hamilton City Hall 71 Main Street West Hamilton, Ontario



6.

ADJOURNMENT

1.	DECLARATION OF INTEREST
2.	APPROVAL OF MINUTES
۷.	AFFROVAL OF WINDIES
	2.1 December 12, 2001
	2.2 February 7, 2002 (Special Meeting)
	, (-pg)
3.	PRIVATE & CONFIDENTIAL AGENDA
	3.1 Show Cause Hearings:
	3.1.1 Abdulhadi Kreimeh – Taxi Cab Driver Licence
	3.1.1 Abdultadi Kreimen – Taxi Cab Driver Licence
	3.1.2 Greg Perrault – Taxi Cab Driver Licence
	(Confidential background material available at meeting)
4	DI ANNINO AND DEVELOPMENT DEPARTMENT
4.	PLANNING AND DEVELOPMENT DEPARTMENT
	4.1 Update on Aromatherapy
	4.2 Chez "M" - 95 King Street East
	The same and the same care and the same and
5.	OTHER BUSINESS





## City of Hamilton Licensing Committee MINUTES

Wednesday, December 12, 2001 5:00 p.m. Room 264, Hamilton City Hall 71 Main Street West, Hamilton

Present: Councillors S. Merulla, D. Mitchell, N. Desjardins, R. Naim

Regrets: Councillor B. Kelly

Also Present: G. Peace – Acting Director of Community Services

D. Beck - Legal

J. Winn - Chief Fire Prevention Officer

R. Hall - Acting Director of Environmental Health P. Lampman, D. Rose, J. Downey - Building

S. Glover - City Clerk's Office

Councillor Sam Merulla, (Chairperson) called the meeting to order.

#### THE FOLLOWING ITEMS WERE REPORTED TO COMMITTEE OF THE WHOLE:

- (a) That the City of Hamilton Licensing Code By-law No. 01-156 be amended to reflect Council's direction that:
  - i) Except in the case of a tobacco vendor licence, only one licence fee and one inspection fee shall be charged for multiple licences in the same establishment provided the licences are applied for at the same time;
  - ii) That all businesses legally operating within the new City of Hamilton prior to January 1, 2001 are deemed to be existing and therefore exempt from the \$50 fee for new licences.
  - iii) That zoning verification fees not be applied to businesses that existed in the new City of Hamilton prior to January 1, 2001.

- (b) That City Council further discuss Option (4) "exclude Health and Fire inspection fees and have the general levy cover the cost". (This has a budget impact of \$222,300.)
- (c) That Council discuss the policy of full cost recovery with respect to the fees charged for Licensing, and the issue of a phased in fee schedule to coincide with the Education Levy over a period of six years.
- (d) That in order to implement recommendations a(i), a(ii), and a(iii) reductions of revenue be reflected in both the 2001 budget exception report and the 2002 proposed budget.

## FOR THE FURTHER INFORMATION OF COMMITTEE:

(a) Declarations of Interest (Item 1)

None

(b) Approval of Minutes (Item 2)

The Minutes of Meeting held November 14, 2001 were adopted as presented.

(c) Review of the City of Hamilton Licensing Code By-law No. 01-156 (PD01104(b)) (SPH01039) (CS01114) – City Wide (Item 3)

Peter Lampman, Director of Building and Licensing, addressed Committee with regard to the Review of the City of Hamilton Licensing Code By-law No. 01-156 and the subsequent staff recommendations. Acting General Manager of Community Services Glen Peace and Chief Fire Prevention Officer James Winn were also in attendance, together with Rob Hall, Acting Director of Environmental Health and answered the Committee's questions thereon.

Concern was expressed that the perception of the business community is that they are being doubly taxed by the addition of Health and Fire Inspection fees.

Mr. Lampman distributed copies of a licence review of comparable municipalities. He explained the extra level of enforcement in Hamilton which resulted in higher fees.

The Committee cited the need for Hamilton to be more competitive and it was suggested that Option 4 of the report would be more palatable. A further suggestion was made that consideration be given to a phased in fee schedule coinciding with the Education Levy over six years.

The Committee therefore made the foregoing recommendations.

A staff report and recommendations in this regard will subsequently be submitted to Committee of the Whole.

(d) Private and Confidential Agenda (Item 4)

None

- (e) Other Business (Item 5)
  - (i) Aromatherapy Establishments

Staff was directed to report back with regard to implementing certification requirements for employees of Aromatherapy Establishments.

(ii) Chez M - 95 King Street East – Transfer Adult Entertainment Parlour Licence (PD01209) (Referred from the November 14, 2001 Licensing Committee Meeting)

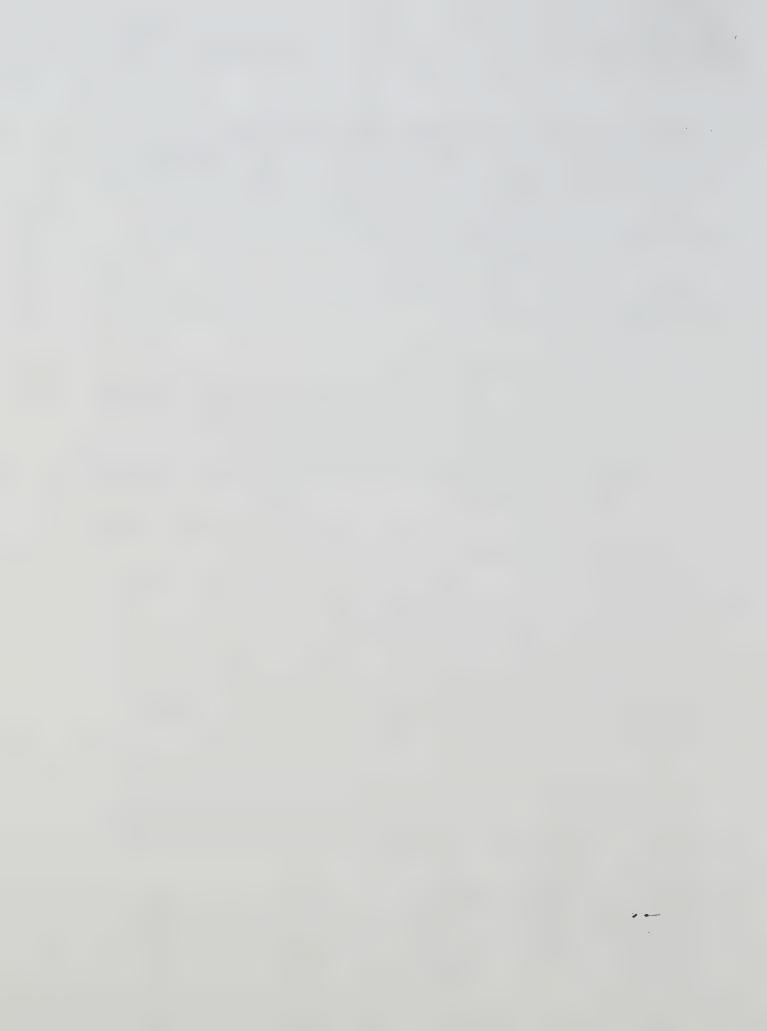
Staff provided a verbal update and will continue to keep the Committee informed in this regard.

(f) Adjournment (Item 6)

The Licensing Committee adjourned at 6:15 p.m.

**Councillor Sam Merulla, Chairperson, City of Hamilton Licensing Committee** 

Stella Glover, Legislative Assistant, December 12, 2001





## City of Hamilton Licensing Committee MINUTES OF SPECIAL MEETING

Thursday, February 7, 2002 11:00 a.m. Council Chambers, Hamilton City Hall 71 Main Street West, Hamilton

Present:

Councillors S. Merulla, D. Mitchell, Councillor B. Kelly

**Also Present:** 

P. Lampman, D. Rose, J. Downey - Building

S. Glover - City Clerk's Office

Councillor Sam Merulla, (Chairperson) called the special meeting to order.

#### THE FOLLOWING ITEM WAS REPORTED TO CITY COUNCIL:

1. Transfer of Body Rub Parlour Licence – Owner (PD02036) (Affects Ward 4)

(Mitchell/Kelly)

- (a) That Licensing Code By-law No. 01-156, Schedule 4, respecting Body Rub Parlours, be amended to permit a Body Rub Parlour to be located at 549 Kenilworth Avenue North, Hamilton.
- (b) That the municipal location at 549 Kenilworth Avenue North, Hamilton be exempted from the 500 metre radial separation from a residential requirement of the Licensing Code By-law.
- (c) That the location at 1285 Main Street East, Hamilton be deleted as an approved location for a Body Rub Parlour in Schedule 4 of the Licensing Code By-law.

#### FOR INFORMATION:

## (a) Transfer of Body Rub Parlour Licence – Owner (PD02036) (Affects Ward 4)(Item 1)

The Chairperson explained that it had been necessary to convene a Special Meeting of the Licensing Committee, at short notice, to consider Planning and Development Department Report PD02036 – Transfer of Body Rub Parlour Licence – Owner.

The Committee considered the background material contained in the Report and made the foregoing recommendation. This recommendation to be introduced at the meeting of City Council later that same evening.

#### (b) Adjournment

#### (Kelly/Mitchell)

The Business for which the Special Meeting was called, having been completed, the Licensing Committee adjourned at 11:05 a.m.

**CARRIED** 

**Councillor Sam Merulla, Chairperson, City of Hamilton Licensing Committee** 

Stella Glover, Legislative Assistant, February 7, 2002

### CITY OF HAMILTON

4.1

### - RECOMMENDATION -

DATE:

January 24, 2002

Author: D. Rose (Ext. 4586)

**REPORT TO:** 

Chairman and Members

Licensing Committee

City of Hamilton

FROM:

Lee Ann Coveyduck

General Manager

Planning and Development Department

SUBJECT:

Aromatherapy Massage (PD02024) (City Wide)

#### RECOMMENDATION:

(a) That the information in Report PD02024 be received.

Lee Ann Coveyduck General Manager

Planning and Development Department

#### **CORPORATE IMPLICATIONS:**

#### **BACKGROUND:**

The Licensing Committee at its meeting held November 13, 2001, requested a report on the status of aromatherapy / massage in the City of Hamilton.

The City of Hamilton currently licenses and regulates body rub parlours. A body rub parlour is defined as:

"includes any premises or part thereof where a body-rub is performed; offered or solicited in pursuance of a trade, calling, business or occupation, but does not include any premises or art thereof where the body-rubs performed are for the

purpose of medical or therapeutic treatment and are performed or offered by persons otherwise duly qualified, licensed or registered so to do under the laws of the Province of Ontario, or a personal service facility as defined in Schedule 12: "

A body rub is defined as:

"includes the kneading, manipulating, rubbing, massaging, touching, or stimulating, by any means, of a person's body or part thereof, in a body-rub parlour but does not include medical or therapeutic treatment given by a person otherwise duly qualified, licensed or registered so to do under the laws of the Province of Ontario; "

The City of Hamilton Licensing Code By-law No. 01-156 limits the number of permitted body rub parlours to three locations as follows:

754 Queenston Road, Hamilton;

893 King Street East, Hamilton; and

1285 Main Street East, Hamilton (there is a pending application to transfer this licence to 549 Kenilworth Avenue North, Hamilton)

The By-law exempts "massages for medical or therapeutic treatment given by a person otherwise duly qualified, licensed or register so to do under the laws of the Province of Ontario". The only recognized exemption to the Body Rub Parlour By-law are registered massage therapists (R.M.T.'s), which are regulated under the <u>Regulated Health Professions Act</u>, 1991 and the <u>Massage Therapy Act</u>, and R.M.T.'s are not required to be licensed under the Body Rub Parlour By-law.

Over the course of the past six to twelve months, a number of establishments offering aromatherapy massages have opened throughout the City. These facilities are offering massages similar to body rub parlours. Staff have been unable to identify a provincial body, which regulates aromatherapy massage which would exempt this activity from the body rub parlour by-law. Also, staff have initiated undercover investigations into these premises to determine the types of services being offered to their patrons. As a result of these investigations the Licensing Division is processing charges against four locations for operating unlicensed body rub parlours. Charges are also being laid against the property owners under the Zoning By-law for allowing a use not permitted at their respective properties. Our investigation has also identified criminal activities taking place, and we have referred these matters to the Hamilton Police Services Drug and Vice Division. Revenue Canada has also been notified of our investigations at these establishments.

Licensed body rub operators have registered a number of complaints against the Aromatherapy operators. They feel that the premises are operating obtaining the proper licence or paying the appropriate fees. A license for a body rub parlour costs the body rub parlour owner \$4,000; in addition each body rub attendant pays \$270 annually.

Currently, in order to exempt aromatherapists from the body rub parlour by-law, the operator could only provide medical or therapeutic treatment "if they were duly qualified, licensed or registered to do so under the laws of the Province of Ontario, such as a Registered massage Therapist, which are regulated by the <u>Regulated Health Professions Act</u> and the <u>Massage Therapy Act</u>.

Staff recognize that there are aromatherapy clinics operating in the City that provide a legitimate service to the community. The Division is currently reviewing the various types of education, training and certification required for aromatherapy. Once an acceptable level of certification is recognized, it may be necessary to amend the body rub by-law to exempt the legitimate operator.

#### **Canadian Federation of Aromatherapists:**

We have identified organizations that teach aromatherapy, one of which is the Balnea Institute of Waterdown. According to Patricia Green, Director of Education for the Balnea Institute, there is a Canadian Federation of Aromatherapists known as the C.F.A. In order to be a member of the C.F.A. an individual must meet the following criteria:

- A minimum of 200 in class hours covering anatomy and physiology, materia medica, essential oils, business practices, body work and expanded application of aromatherapy
- □ Acquire \$1,000,000 in personal liability insurance
- Current first aid certificate
- Business insurance
- Must keep client, business and fee records
- Must use only authentic essential oils
- Must obtain a minimum of 12 hours of continuing education per year by a C.F.A. recognized instructor
- Must pass the C.F.A. exam

Any person failing to abide by the terms of the C.F.A. may leave them subject to action, legal or otherwise by the C.F.A.

#### **Canadian Examining Board of Health Practitioners:**

During the course of our investigation, Inspectors have been shown certificates issued by the Canadian Examining Board of Health Practitioners, which indicates that the holder is a certified Aromatherapy Health Therapist. This organization has been in existence since 1992, and recognizes thirty-six different schools that teach courses in holistic health. The certificate issued to aromatherapists states "Your certification is a legally registered designation federally recognized across Canada", however, our legal department could not determine which area of the federal government officially recognizes the organization. We have also discovered certificates that are issued after a two week course in personal services such as aesthetician, nails, hair cutting and aromatherapy, the aromatherapy portion of the course is two hours.

Staff have undertaken an extensive and ongoing investigation of aromatherapy, and have found that there are varying levels of certification. Our goal, when initiating this investigation, was to determine an appropriate level of certification for aromatherapists that would either exclude them from the body rub parlour by-law or require an amendment to the body rub parlour by-law which would recognize the appropriate level of certification. Staff will provide further information once the investigation is completed and the disposition of the pending court charges has been determined.

#### **ANALYSIS:**

#### SUSTAINABLE DEVELOPMENT:

(Vision 2020, adopted by Regional Council as its vision for the future of Hamilton-Wentworth and endorsed by the Transition Board as the basis of a vision for the "New" City of Hamilton, embodies the concept of a sustainable community which is an equal balance of the economy, the environment, and social/health factors in all municipal decision-making.)

DR

#### CITY OF HAMILTON

4.2

#### - RECOMMENDATION -

DATE:

January 24, 2002

Author: D. Rose (Ext. 4586)

**REPORT TO:** 

Chairman and Members

**Licensing Committee** 

City of Hamilton

FROM:

Lee Ann Coveyduck

General Manager

Planning and Development Department

SUBJECT:

Chez M, 95 King Street East

Transfer Adult Entertainment Parlour Licence

(PD02024(A)) (City Wide)

#### **RECOMMENDATION:**

(a) That the information in Report PD02024(A) be received.

Lee Ann Coveyduck General Manager

Planning and Development Department

#### **CORPORATE IMPLICATIONS:**

#### **BACKGROUND:**

As members of the Committee are aware, this matter was before the Committee on November 13, 2001. At that time staff were in a position to issue the Adult Entertainment Parlour licence based on compliance with the Fire, Building and Health requirements. The Hamilton Police Services raised concerns at that meeting, requesting additional time to investigate the opening of this establishment. Information supplied by the Police raises issues under the By-law that would require the Issuer of Licences to refuse the issuance of the licence. If correct, the police information would

Chez M, 95 King Street East Transfer Adult Entertainment Parlour Licence (PD02024(A))

raise a concern as to whether the application submitted is complete or contains sufficient and accurate information, whether public safety may be put at risk and whether there will be compliance with the by-law if the business is allowed to operate.

Section 12 of the Licensing Code By-law states:

- 12. (1) "The Issuer of Licences shall:
  - (a) refuse to issue the licence, where a policy under Section 15 requires refusal or where approval of the licence under the policy would put the public safety at risk;
  - (b) refuse to issue the licence where the requirements for the applicant and applicable licence under this By-law, including those imposed by any Schedule or conditions to be met, are not met, or where it is determined that the application is incomplete or contains false or misleading information, the applicable fees have not been paid, fines for convictions under the <a href="Provincial Offences Act">Provincial Offences Act</a> are due and unpaid, or that a prohibition or other court order made upon such conviction have not been complied with by the applicant of licensee, "
  - (2) The Issuer of Licences shall refuse to issue a licence for a business under subsection (1), where a response received from a Department under section 11 indicates that there is a non-compliance with this Bylaw or other applicable law, or that there will be such non-compliance if the business is allowed to operate."

The applicant will be asked to provide additional financial information to allow the Licence Division to confirm the facts to conclude their investigation and staff will consult with police to evaluate their findings to determine whether or not a licence should be issued.

The application is being brought forward to the Licence Committee in order to obtain direction from the Committee as to whether or not a show cause hearing should be scheduled based on the information available to date.

#### ANALYSIS:

### SUSTAINABLE DEVELOPMENT:

(Vision 2020, adopted by Regional Council as its vision for the future of Hamilton-Wentworth and endorsed by the Transition Board as the basis of a vision for the "New" City of Hamilton, embodies the concept of a sustainable community which is an equal balance of the economy, the environment, and social/health factors in all municipal decision-making.)

DR



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City of Hamilton

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#### **AGENDA**

### **LICENSING COMMITTEE**

Wednesday, March 20, 2002

5:00 p.m.

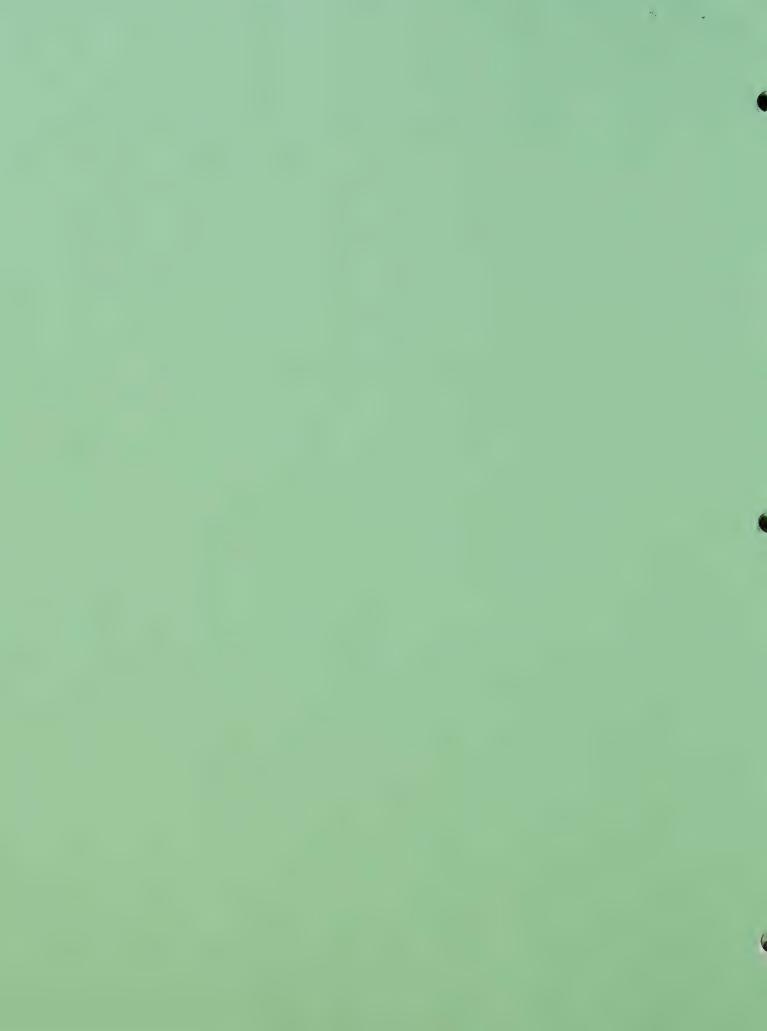
Committee Room 110
Hamilton City Hall
71 Main Street West
Hamilton, Ontario



ADJOURNMENT

5.

1.	DECLARATION OF INTEREST
	-
2.	APPROVAL OF MINUTES
	2.1 February 19, 2002
3.	PLANNING AND DEVELOPMENT DEPARTMENT
	3.1 Update - Chez "M" - 95 King Street East (to follow)
4.	OTHER BUSINESS





## City of Hamilton Licensing Committee MINUTES

Tuesday, February 19, 2002 5:00 p.m. Room 219; Hamilton City Hall 71 Main Street West, Hamilton

Present:

Councillors S. Merulla, B. Kelly, D. Mitchell, N. Desjardins

Regrets:

R. Nairn

Also Present:

D. Beck, Legal

P. Lampman, D. Rose, J. Downey - Building

S. Glover, City Clerk's Office

Councillor Sam Merulla, (Chairperson) called the meeting to order.

### THE FOLLOWING ITEMS WERE REPORTED TO COMMITTEE OF THE WHOLE:

1. Abdulhadi Kreimeh – Cab Driver Licence (Item 3.1.1)

That the Taxi Cab Driver Licence application of Abdulhadi Kreimeh be granted subject to the following condition:

Submission of an updated driving abstract to the Issuer of Licences at three monthly intervals for the next calendar year.

(Confidential Background Information provided under separate cover)

#### 2. Greg Perrault – Taxi Cab Driver Licence (Item 3.1.2)

That the Taxi Cab Driver Licence application of Greg Perrault be denied.

(Confidential Background Information provided under separate cover).

#### FOR INFORMATION PURPOSES:

(a) Declarations of Interest (Item 1)

None

#### (b) Approval of Minutes (Item 2)

The Minutes of Meeting held December 12, 2001, were adopted as presented. The Minutes of the Special Meeting held February 7, 2002 were adopted as presented.

## (c) Chez M. 95 King Street East – Transfer Adult Entertainment Parlour Licence (PD01209) (Item 4.2)

The Committee was in receipt of a Information Report with respect to an application to transfer an Adult Entertainment Parlour Licence.

Det. Sgt. Wills of the Hamilton Police Services reported on the police involvement with the establishment.

The former owner of the property, Mr. Ticchiarelli attended together with his son. Mr. Ticciarelli's lawyer stated that Mr. Ticchiarelli was no longer involved with the business other than as a contractor performing renovations to the premises.

Mr. Serafini attended together with his lawyer and submitted documents which identified Mr. Serafini as the sole owner of the property. He advised that Mr. Serafini had paid all outstanding taxes against the property, although under no obligation to do so, and was anticipating the issuance of a licence from the Alcohol and Gaming Commission.

Mr. Paul Wells addressed the Committee and stated that he had been hired by Mr. Serafini to manage the establishment. He submitted a copy of his resume, together with letters of support from former employers and a petition in favour of the establishment.

The Committee met in camera to receive legal advice.

Resuming in open session, the Committee received the report for information.

The Issuer of Licences was directed to consider all information presented, taking into account the decision of the Alcohol and Gaming Commission, and noting the serious concerns of the Committee, when considering the application for the transfer of the licence.

## (e) Aromatherapy Massage (PD02024) (City Wide) (Referred from November 14, 2001 Licensing Committee Meeting)(Item 4.1)

The Committee was in receipt of an information report, in response to its request at its previous meeting for an update on the status of aromatherapy/massage in the City of Hamilton.

Doug Rose, Supervisor of Licences, addressed the report. He stated that staff are undertaking an extensive and ongoing investigation, in order to determine an appropriate level of certification for aromatherapists, which would exclude them from the body rub parlour by-law, or require an amendment thereto.

Det. Sgt Wills stated that the Police had similar concerns as the City in this regard, and would be taking aggressive action if criminal activity were found to be taking place on these premises.

#### (d) Show Cause Hearings (Item 3)

The Committee moved in camera to hold show cause hearings.

Resuming in open session, the Committee made the following recommendations:

- (i) That the Taxi Cab Driver Licence application of Abdulhadi Kreimeh be granted subject to the following condition:
  - Submission of an updated driving abstract to the Issuer of Licences at six monthly intervals for the next calendar year.
- (ii) That the Taxi Cab Driver Licence application of Greg Perrault be denied.

#### (e) Other Business (item 5)

None

(f) Adjournment (Item 6)

The Licensing Committee adjourned at 6:30 p.m.

Councillor Sam Merulla, Chairperson, City of Hamilton Licensing Committee

Stella Glover, Legislative Assistant, February 19, 2002

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COVERNMENT DOCUMENTS

CA4 ON HBL A05 C51 J85



# City of Hamilton

# **AGENDA**

# LICENSING COMMITTEE

Wednesday, May 22, 2002

5:00 p.m.

Committee Room 110
Hamilton City Hall
71 Main Street West
Hamilton, Ontario



#### 1. DECLARATION OF INTEREST

#### 2. APPROVAL OF MINUTES

2.1 March 20, 2002

#### 3. PRIVATE & CONFIDENTIAL AGENDA

- 3.1 <u>Show Cause Hearings</u>:
  - 3.1.1 Residential Care Facility Licence 995 Main Street East
  - 3.1.2 Salvage/Body Shop Licence 735 Mud Street

(Confidential background material available at meeting)

#### 4. PLANNING AND DEVELOPMENT DEPARTMENT

- 4.1 Establishment of an Aromatherapy Working Committee (PD02024(a)) City Wide
- 4.2 928 Brock Road Public Garage Licence
  - 4.2.1 928 Brock Road Public Garage Licence (PD02107) (Ward 14)
  - 4.2.2 982 Brock Road Request for Special Hearing Date (PD02107(a)) (Ward 14)
- 4.3 Renewal of Taxi Plates Report (PD02103) (City Wide)
- 4.4 Taxicab Priority List Annual Renewal for 2001 (PD02101) (Affects Former City of Hamilton and Former City of Stoney Creek)
- 4.5 Status of Citizen Members and Police Representative on Licensing Committee (verbal update) Dave Beck, Legal Counsel

#### 5. OTHER BUSINESS

#### 6. ADJOURNMENT





# City of Hamilton Licensing Committee MINUTES

Wednesday, March 20, 2002 5:00 p.m. Room 110, Hamilton City Hall 71 Main Street West, Hamilton

Present:

Councillors S. Merulla, B. Kelly, D. Mitchell, N. Desjardins, R. Nairn

Also Present:

Det.Sgt. Wills, Hamilton Police Services

D. Beck, Legal

P. Lampman, D. Rose, - Building S. Glover, City Clerk's Office

Councillor Sam Merulla, (Chairperson) called the meeting to order.

# THE FOLLOWING ITEMS WERE REPORTED TO COMMITTEE OF THE WHOLE:

1. Ali Reza Nasseri – Cab Driver Licence (Item 3.1.1)

That the Taxi Cab Driver Licence application of Ali Reza Nasseri be denied.

(Confidential Background Information provided under separate cover)

2. Valeria Bockova – Body Rub Parlour Attendant Licence (Item 3.1.2)

That the Body Rub Parlour Attendant Licence application of be granted subject to the following condition:

Submission of an updated criminal record to the Issuer of Licences in six months from the date of issuance of the licence.

(Confidential Background Information provided under separate cover).

#### FOR INFORMATION PURPOSES:

(a) Declarations of Interest (Item 1)

None

(b) Approval of Minutes (Item 2)

#### (Desjardins/Nairn)

The Minutes of Meeting held February 19, 2002 were adopted as amended to reflect those in attendance as Councillor S. Merulla, N. Desjardins and R. Nairn and regrets received from Councillors B. Kelly and D. Mitchell due to City Business.

CARRIED

(c) Show Cause Hearings (Added Item)

#### (Mitchell/Nairn)

The Committee moved in camera to hold show cause hearings.

**CARRIED** 

Resuming in open session, the Committee made the following recommendations: (Nairn/Kelly)

(i) That the Taxi Cab Driver Licence application of Ali Reza Nasseri be denied.

**CARRIED** 

### (Desjardines/Nairn)

(ii) That the Body Rub Parlour Attendant Licence application of be granted subject to the following condition:

Submission of an updated criminal record to the Issuer of Licences in six months from the date of issuance of the licence.

**CARRIED** 

(d) In Camera (Item 3.1)

### (Mitchell/Nairn)

The Committee moved in camera to receive a verbal report on a possible litigation issue.

**CARRIED** 

## (Mitchell/Nairn)

The Committee resumed in open session.

**CARRIED** 

(e) Other Business (item 4)

None

(f) Adjournment (Item 6)

(Kelly/Dejardins)

The Licensing Committee adjourned at 6:30 p.m.

**CARRIED** 

**Councillor Sam Merulla, Chairperson, City of Hamilton Licensing Committee** 

Stella Glover, Legislative Assistant, March 20, 2002



3.1.2

#### PLANNING AND DEVELOPMENT DEPARTMENT Building and Licensing Division

Report to:

Chairman and Members

Submitted by:

Lee Ann Coveyduck

Licensing Committee

General Manager

City of Hamilton

Date: File:

May 9, 2002

Prepared by:

Randy Charlton

(905) 643-1262 x314

SUBJECT:

Barry Humphry Enterprises Limited (PD02104) (Ward 11)

735 Mud Street - Salvage Yard and Public Garage Licence

#### **RECOMMENDATION:**

That the renewal licences of a Salvage Yard and Public Garage (Auto Body Repair & Mechanical Repairs) for 735 Mud Street be issued with a new condition:

(a) That Barry Humphry Enterprises Limited comply with the requirements of Paragraph 4 of an Agreement dated December 22, 1988, between Barry Humphry Enterprises Limited and The Corporation of The City of Stoney Creek and Barry Humphry, and registered against title to the subject lands as Instrument No. 492274 CD on January 26,1989.

Lee Ann Coveyduck

General Manager

Planning and Development Department

#### **EXECUTIVE SUMMARY:**

Activities at 735 Mud Street East are presently controlled by two mechanisms: regulations as a result of licensing the business and an agreement, which is registered on title. The agreement, which is registered on title, is not directly linked to the licence. As a result, non-compliance with the agreement means that the City Of Hamilton must undertake a civil procedure to obtain compliance and should the licensee default on the agreement the City must then be directly involved in the maintenance of the property.

SUBJECT: Barry Humphry Enterprises Limited Page 2 of 6 735 Mud Street – Salvage Yard and Public Garage Licence (PD02104) (Ward 11)

The proposal of the recommended condition will tie the agreement into a condition of the licence. The proposed condition will enable the City to rely on the remedies available in the City of Hamilton Licensing Code when any business fails to comply with regulations or conditions of a licence.

Routine inspections of the subject property, 735 Mud Street East, are conducted annually before the renewal of the licence to ensure that the licensee is in compliance with the licensing regulations and the aforementioned agreement dated December 22, 1988. This agreement has been established for the purposes of addressing environmental and aesthetics concerns. Further, this agreement has been registered on the title to the subject lands. The agreement states that should Barry Humphry Enterprises Limited and Barry Humphry perform the matters and things set forth in the agreement that the former City of Stoney Creek (now the City Of Hamilton) issue licences for the following activities to be carried out at 735 Mud Street East:

- Salvage Yard (Auto Wrecking Yard)
- Public Garage (Auto Body Repairs)
- Public Garage (Mechanical Repairs)

#### BACKGROUND:

Activities at 735 Mud Street East are presently controlled by two mechanisms: regulations as a result of licensing the business and an agreement, which is registered on title. The agreement, which is registered on title, is not directly linked to the licence. As a result, non-compliance with the agreement means that the City Of Hamilton must undertake a civil procedure to obtain compliance and should the licensee default on the agreement the City must then be directly involved in the maintenance of the property. The proposal of the recommended condition will tie the agreement into a condition of the licence. The proposed condition will enable the City to rely on the remedies available in the City of Hamilton Licensing Code when any business fails to comply with regulations or conditions of a licence.

Routine inspections of the subject property, 735 Mud Street East, are conducted annually before the renewal of the licence to ensure that the licensee is in compliance with the licensing regulations and the aforementioned agreement dated December 22, 1988. This agreement has been established for the purposes of addressing environmental and aesthetics concerns. Further, this agreement has been registered on the title to the subject lands. The agreement states that should Barry Humphry Enterprises Limited and Barry Humphry perform the matters and things set forth in the agreement that the former City of Stoney Creek (now the City Of Hamilton) issue licences for the following activities to be carried out at 735 Mud Street East:

Salvage Yard (Auto wrecking Yard)

SUBJECT: Barry Humphry Enterprises Limited Page 3 of 6 735 Mud Street – Salvage Yard and Public Garage Licence (PD02104) (Ward 11)

- Public Garage (Auto Body Repairs)
- Public Garage (Mechanical Repairs)

Barry Humphry Enterprises Limited and Barry Humphry agreed to perform the following matters and things:

- That Barry Humphry Enterprises Limited and Barry Humphry will comply with and adhere to the provisions of the General Licensing By-law No.395-76 and amendments thereto of the Corporation.
- That Barry Humphry Enterprises Limited and Barry Humphry will comply with and adhere to the requirements of the City Engineer of the Corporation, which are attached to the agreement.
- That Barry Humphry Enterprises Limited and Barry Humphry will conduct all its operations in connection with the wrecking or dismantling of motor vehicles within the area enclosed on the west, south and east by the existing fences as described in detail in a map within the agreement.
- In the event that Barry Humphry or any successor wishes to extend this operation northward, the party may do so, subject to the conditions contained in the agreement, by extending the fences on the easterly and westerly sides in a straight line. Northerly as shown in the agreement.
- That in no event shall the easterly and westerly fences be extended northerly to a point less than 400 feet from the southerly boundary of the abutting properties to the north.
- That Barry Humphry Enterprises Limited and Barry Humphry will comply with the <u>Environmental Protection Act</u> and Regulations pertaining thereto as required by the Ministry of the Environment.
- That Barry Humphry Enterprises Limited and Barry Humphry will provide the Corporation with an amount of \$500.00 to cover the costs of necessary site inspections and, for this purpose, the parties hereto hereby grant to the Corporation, its employees, contractors or agents, the right to enter the lands described in the agreement, during normal working hours, for the purpose of making inspections to ensure compliance with this agreement.
- That Barry Humphry Enterprises Limited and Barry Humphry will provide an irrevocable Letter of Credit in the amount of \$25,000.00 in favour of the Corporation to ensure compliance with and to correct any violation of any term of this agreement and in the event that Barry Humphry Enterprises Limited and Barry Humphry or any successor in title are directed or required by this agreement to do any act, matter or thing, then in default of it being done by the person directed or required to in accordance with the terms of this agreement, then such act, matter or thing is to be

735 Mud Street - Salvage Yard and Public Garage Licence

(PD02104) (Ward 11)

done by the Corporation at the expense of the then current owner and the Corporation after exhausting the full amount of the Letter of Credit and if there is a deficiency may recover the expenses incurred in taking such remedial action in like manner as municipal taxes, pursuant to Section 325 of The Municipal Act, R.S.O. 1980, Chapter 302. Notwithstanding any remedial action required to be taken by the Corporation, any such entry and inspection and/or act shall not be deemed a release or discharge from any obligation under this agreement.

- That it is understood that Barry Humphry Enterprises Limited and Barry Humphry is to receive written notice of any default prior to action being taken by the Corporation:
  - (a) In the event of default which may be remedied without regard to weather conditions in effect, Barry Humphry Enterprises Limited and Barry Humphry shall have a period of ten (10) days to remedy such default and correct such violations; or,
  - (b) In the event of default, the remedying of which requires proper weather conditions, Barry Humphry Enterprises Limited and Barry Humphry shall have a period of ninety (90) days to remedy such default and correct such violations failing which the City of Hamilton may proceed under this agreement. For certainty, the parties agree that the relocation of motor vehicles on the subject property is not a remedial action requiring proper weather conditions.
- That in the event that Barry Humphry Enterprises Limited and Barry Humphry sells and/or conveys the premises then it is understood that the above-mentioned Letter of Credit is to be replaced by a Letter of Credit, on the same terms, obtained by the new owners of the premises.
- That all covenants and conditions set forth in this agreement are and shall be deemed to be covenants running with the lands described in the agreement.
- That it is hereby understood and agreed to among the parties thereto:
  - (a) That every covenant and condition obtained herein ensures to the benefit of and is binding upon the parties hereto and their hairs, executors and administrators successors and assigns; and,
  - (b) That when the context so requires or permits the singular number is to be read as if the plural were expressed end the masculine gender as if, the feminine or neuter, as the case may be expressed.

As part of the agreement the City Engineer outlined that the following requirements should the operator extend the operations north:

- A corridor 12.0m in width centred on the existing drainage channels as shown on the attached site plan will not be utilised for storage but will remain in natural condition with no filling, cutting or alteration of natural grades or ground cover.
- Vehicles and other materials presently in storage within the abovementioned 12.0m wide corridor must be removed and relocated.
- A berm and Interceptor ditch must be constructed adjacent to the existing vehicle storage area on the south side of the existing watercourse as shown on the site plan.
- The berm and interceptor ditch must be extended in conjunction with any future extension of the vehicle storage area as required to prevent direct runoff to the existing watercourse.
- Debris and sediment deposited in the Interceptor ditch must be removed and disposed of on a routine basis, and in a manner acceptable to the Ministry of the Environment, and the ditch continually maintained to ensure its efficient operation.
- Approval of the Corporation of the City of Stoney Creek (now City of Hamilton) and the Niagara Peninsula Conservation Authority must be obtained prior to the installation of any culverts across the existing watercourse shown in the agreement.
- All site works as outlined in this agreement must be completed within twelve months of registration of this agreement.

Inspections were conducted to determine if this business is keeping and recording the garage registries (record books) properly and in accordance with the City Of Hamilton Licensing Code Schedule 22, Section 4. In March 2002, an inspector upon reviewing the registry (record books) for the months of January and February 2002, noted that there were 7 violations. These were entries with no serial numbers which identify and verify make, model and indicate the previous owner of the vehicle. In addition to the registration violations, Mr. Humphry is in violation of the Agreement with the Corporation of the City of Stoney Creek with respect to the storage of vehicles outside the fenced compound. Photographs of the site and the violations will be circulated to Committee.

#### **ANALYSIS OF ALTERNATIVES:**

If the proposed recommendation is not a condition of the licence, and should there be default in the agreement, the City of Hamilton will be required to enter into a civil action to achieve compliance pursuant to the terms of the agreement. In addition, the City would undertake the required work outlined in the agreement.

SUBJECT: Barry Humphry Enterprises Limited Page 6 of 6 735 Mud Street – Salvage Yard and Public Garage Licence (PD02104) (Ward 11)

N/A.

CONSULTATION WITH RELEVANT DEPARTMENTS/AGENCIES:

N/A.

CITY STRATEGIC COMMITMENT:

N/A.

:RC

## PLANNING AND DEVELOPMENT DEPARTMENT **Building and Licensing Division**

Chairman and Members Report to:

Submitted by:

Lee Ann Coveyduck

Licensing Committee

General Manager

City of Hamilton

Date: File:

May 10, 2002

Prepared by:

Judy Downey

(905) 540-6108

SUBJECT: Establishment of an Aromatherapy Working Committee (PD02024(a))

(City Wide)

#### RECOMMENDATION:

- That staff be given the authority to establish an Aromatherapy Working (a) Committee, which will be comprised of staff and members of the alternative health care industry.
- That staff report back to the Licensing Committee with the findings of the (b) Aromatherapy Working Committee with recommendations to amend the City of Hamilton Licensing Code respecting Body Rub Parlours or to create a separate schedule within the Licensing Code to address alternative health care disciplines.

Carryduck

Lee Ann Coveyduck

General Manager

Planning and Development Department

# **EXECUTIVE SUMMARY:**

Throughout the investigation of aromatherapy establishments and operators, staff identified several establishments that were offering massages similar to body rub parlours, and legal action has been undertaken to address these violations. In addition to establishments obviously in violation of the Licensing Code, staff identified operators and establishments that offer aromatherapy, shiatsu and reflexology that are currently attempting to provide alternative holistic approaches to medical needs. As a result, staff recommend that an Aromatherapy Working Committee comprised of staff and members

# SUBJECT: Establishment of an Aromatherapy Working Committee - Page 2 of 3 (PD02024(a)) (City Wide)

of the alternative health care industry be established to review including, or exempting, these alternative health care practices in the Licensing Code.

#### **BACKGROUND:**

A report was submitted to Committee on January 24, 2002, outlining the status of the Standards and Licensing Division investigation into aromatherapy therapy massage establishments in the City of Hamilton. Throughout the investigation, staff identified several establishments that were offering massages similar to body rub parlours, and legal action has been undertaken to address these violations. In addition to establishments obviously in violation of the Licensing Code, staff identified operators and establishments that offer aromatherapy, shiatsu and reflexology that are currently attempting to provide alternative holistic approaches to medical needs.

Currently, in order to exempt alternative health care practices from the Body Rub Parlour Schedule, the operator could only provide medical or therapeutic treatment, "if they were duly qualified, licensed or registered to do so under the laws of the Province of Ontario, such as a Registered Massage Therapist, which are regulated by the Regulated Health Professions Act and the Massage Therapy Act."

Due to the relatively new concept of alternative health care treatments, the Regulated Health Professions Act and the Massage Therapy Act do not currently recognize these practices. The providers of the identified health care disciplines are currently seeking recognition and certification by the Province similar to the certification of a Registered Massage Therapist. However, until certification and / or registration are achieved, these practitioners are not addressed in the Licensing Code. Staff recommend that an Aromatherapy Working Committee be formed to review the possibility of exempting these practitioners from the Body Rub Parlour Schedule or create a schedule in the Licensing Code to license them. The City of Kitchener and the City of Toronto have both undertaken a similar review and adopted by-laws to license the aforementioned practitioners. Staff will utilize these models to expedite the review in the City of Hamilton.

#### **ANALYSIS OF ALTERNATIVES:**

The City of Hamilton Licensing Code does not currently recognize alternative health care disciplines. The Aromatherapy Working Committee will review the options exempting these alternative health care disciplines such as aromatherapy, reflexology and shiatsu or enacted a licensing schedule to regulate these disciplines.

#### FINANCIAL/STAFFING/LEGAL IMPLICATIONS:

Included in the enforcement of the City of Hamilton Licensing Code.

SUBJECT: Establishment of an Aromatherapy Working Committee - Page 3 of 3 (PD02024(a)) (City Wide)

#### POLICIES AFFECTING PROPOSAL:

As a schedule of the harmonized City of Hamilton Licensing Code By-law No. 01-156, the proposed amendments or the creation of a new schedule within the Licensing Code will be harmonized throughout the new City.

# CONSULTATION WITH RELEVANT DEPARTMENTS/AGENCIES:

In consultation with the City of Kitchener, the City of Toronto and members of the alternative health care industry, staff recommend that the Working Committee be established to ensure that the industry is addressed fairly and consistently throughout the new City.

#### CITY STRATEGIC COMMITMENT:

The review of the alternative health care practices will ensure that health care issues and the protection of the consumers are addressed throughout the new City.

:JD



4.2.2

#### PLANNING AND DEVELOPMENT DEPARTMENT **Building and Licensing Division**

Report to: Chairman and Members Submitted by:

Lee Ann Coveyduck

Licensing Committee

General Manager

City of Hamilton

May 10, 2002

Randy Charlton

Date: File:

Prepared by:

(905) 6431262 Ext. 314

SUBJECT: 928 Brock Road - Request for Special Hearing Date

(PD02107(a)) (Ward 14)

accydent.

#### RECOMMENDATION:

That at the request of the Issuer of Licences a special hearing date be held to consider whether the licences issued to Frank Ivanic operating as Split Auto Body Service at 938 Brock Road should be revoked.

Lee Ann Coveyduck

General Manager

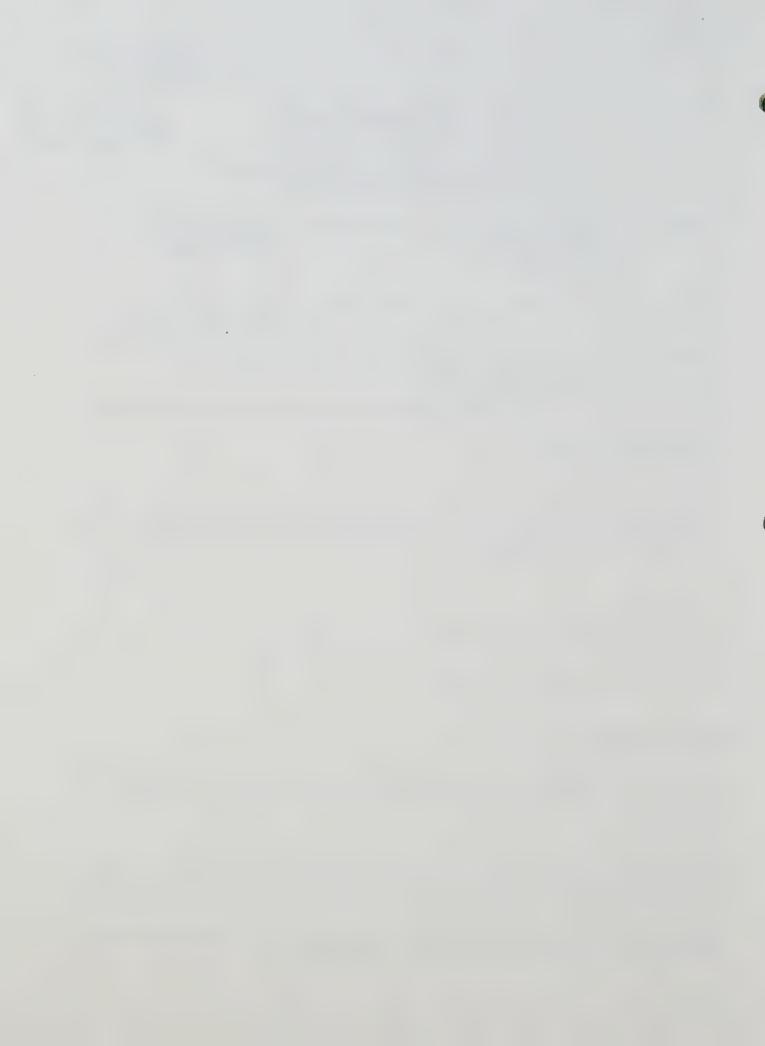
Planning and Development Department

#### **EXECUTIVE SUMMARY:**

The hearing is expected to take between two to three hours to complete, and Committee can expect to deal with involved legal arguments and a detailed presentation of evidence.

Staff will be calling five to six witnesses and introducing other documentation in the presentation of its case. While it expected that the licensee, Frank Ivanic through his solicitor may also call four to six witnesses to support the issuance of the licence.

Given the involved nature of this matter staff has retained Peter Tice from the firm Ross and McBride in Hamilton to present the case on behalf of staff.



# 421

# CITY OF HAMILTON

## PLANNING AND DEVELOPMENT DEPARTMENT Building and Licensing Division

Report to: Chairman and Members

Submitted by:

Lee Ann Coveyduck

Licensing Committee

General Manager

City of Hamilton

Date: File:

May 9, 2002

Prepared by:

Randy Charlton

(905) 643-1262 x314

SUBJECT: 928 Brock Road - Public Garage Licence

(PD02107) (Ward 14)

#### RECOMMENDATION:

That Report PD02107 respecting a public garage licence at 928 Brock Road be received for information.

Lee Ann Coveyduck General Manager

Planning and Development Department

## BACKGROUND:

Mr. Frank Ivanic, operating as Split Auto Body Service, was issued a business licence by the Town of Flamborough (Licence Number L2000-023) for a Public garage (repair and body shop) including motor vehicle sales at 928 Brock Rd. This licence was issued on the basis that the business operating had been established as legal non-conforming.

The solicitor for the Town of Flamborough came to the conclusion that the property was legal non-conforming after reviewing affidavits submitted by Mr. Frank Ivanic.

Recently, the Standards and Licensing Section has had information become available that may call into question the finding of the legal non-conforming use of this property as a public garage and motor vehicle sales.

As a prerequisite to the issuance of a licence an applicant must comply with by-laws or other laws and is to provide proof of such compliance. Included in this is the compliance with the zoning of the property. The applicant in this matter must either comply with the zoning uses permitted, or prove that the use, subject to the licensing

(PD02107) (Ward 14)

application, is legal non-conforming. Note that a legal non-conforming use entitlement must be proven to be a continuous prior to the date that the zoning restrictions were established for the lands. In this situation the applicable zoning by-law is the Township of West Flamborough Zoning By-law, which was enacted on November 23, 1964.

Frank Ivanic purchased 928 Brock Road February 18, 1972, from Michele Stramenga and co-owner Francesco Paradisi. Recent conversations with Michele Stramenga and co-owner Francesco Paradisi confirm that while they owned the property the lands were not used as a public garage or to sell motor vehicles, but that the property was vacant land without even a driveway. Further, long-time residents in the area confirm these facts, as does other documentation.

Section 14(I) of The City Of Hamilton Licensing Code states that:

"The Issuer of Licences may recommend that a hearing be held to consider whether a licence should be revoked or suspended, where the Issuer of Licences finds:

Section (b), that information supplied to obtain the licence or to comply with a condition was false or misleading; and

Section (f), the business is being operated in contravention of this By-law or other applicable law."

As such staff recommends that the Licensing Committee schedule a hearing to review the renewal of this licence.

·RC

#### PLANNING AND DEVELOPMENT DEPARTMENT **Building and Licensing Division**

Report to:

Chairman and Members

Submitted by:

Lee Ann Coveyduck

Licensing Committee

General Manager

City of Hamilton

Randy Charlton

Date: File:

May 9, 2002

Prepared by:

(905) 643-1262 x314

SUBJECT: Renewal of Taxi Plates Report (PD02103) (City Wide)

#### RECOMMENDATION:

That the estate of Paul Vacsi be granted an extension to comply with Section 19 of the former City of Stoney Creek Public Vehicle Licensing By-law 4413-98 Section 19(1) and that the extension be no longer than 30 days after the passing of the new by-law licensing and regulating taxicabs in the City of Hamilton.

Lee Ann Coveyduck

General Manager

Planning and Development Department

#### **EXECUTIVE SUMMARY:**

The Standards and Licensing Section has received a request from the Executrix, through the solicitor acting on behalf of the Estate of Paul Vacsi, that the estate be granted an extension to allow the licences to remain in the name of the Estate of Paul Vacsi until a decision from Council has been rendered on taxi licensing reform.

#### BACKGROUND:

The Executrix for the Estate of Paul Vacsi, Mr. Vacsi's daughter Kathy Kovacsik who resides in Florida, has renewed the licences for all of the taxicabs that form part of the assets of Paul Vacsi. Pursuant to the former City of Stoney Creek Public Vehicle Licensing By-law 4413-98 Section 19(2), an executor may renew a licence on the condition that the licence will expire on the termination of the six (6) month period allotted in Section 19(1) of the By-law. Section 19(1) permits an executor to arrange for the change of the name of the holder of the owner licence, without the licence being

#### SUBJECT: Renewal of Taxi Plates Report (PD02103) (City Wide) - Page 2 of 2

revoked provided that this change takes place with in 6 months of the death of the holder of an owners licence.

Paul Vacsi owned 14 taxicabs and a licence for each taxicab was issued pursuant to the former City of Stoney Creek Public Vehicle Licensing By-law 4413-98.

At present all 14 taxicabs are leased to and operated by Veterans Taxi. The Licensing and Standards Section has received a request from the Executrix, through the solicitor for the estate that Estate of Paul Vacsi, that the estate be granted an extension to allow the licences to remain in the name of the estate of Paul Vacsi until a decision from Council has been rendered on taxi licensing reform.

#### **ANALYSIS OF ALTERNATIVES:**

- Require the Executrix for the Estate of Paul Vacsi, Kathy Kovacsik to qualify as an owner and issue the licences to Kathy Kovacsik.
- Revoke the taxicab plate licences.
- Require the estate to deal with the issue of the taxi plates now before the passing of a new by-law.

#### POLICIES AFFECTING PROPOSAL:

The taxi industry is presently under review by the Taxi Industry Reform Sub-Committee.

# CONSULTATION WITH RELEVANT DEPARTMENTS/AGENCIES:

N/A.

#### CITY STRATEGIC COMMITMENT:

The licensing of taxicabs, taxi drivers, plate owners and brokers addresses the development of an integrated sustainable transportation system for people, which is environmentally friendly, affordable, efficient, convenient, safe and accessible. The proposed regulations will accommodate transportation needs, public safety and protection of the physical environment.

#### PLANNING AND DEVELOPMENT DEPARTMENT **Building and Licensing Division**

Report to: Chairman and Members Submitted by:

Lee Ann Coveyduck

Licensing Committee

General Manager

City of Hamilton

Date:

May 7, 2002

Prepared by:

Douglas Rose

File:

02.2.2.3

(905) 546-4586

SUBJECT: Taxicab Priority List Annual Renewal for 2001 (PD02101) (Affects the

Former City of Hamilton and the Former City of Stoney Creek)

#### RECOMMENDATION:

- That the Taxicab Priority List attached to Report PD02101 as Appendix 'A', (a) consisting of 137 names of individuals who have renewed their names on the Taxicab Priority List for the year 2001, in accordance with the Former City of Hamilton Licensing By-law 98-203, be approved.
- That the Taxicab Priority List attached to Report PD02101 as Appendix 'C', (b) consisting of 14 names of individuals who have renewed their names on the Taxicab Priority List for the year 2001, in accordance with the Former City of Stoney Creek By-law 4413-96, be approved.

Lee Ann Coveyduck General Manager

Planning and Development Department

aneydul

### **EXECUTIVE SUMMARY:**

Not applicable.

#### BACKGROUND:

For the year ending December 31, 2000, 141 names of individuals were renewed on the Taxicab Priority List for the former City of Hamilton.

On August 14, 2001, a Reminder Notice was sent by ordinary mail to all persons on the Taxicab Priority List for the former City of Hamilton advising them of the By-law requirements to remain on the list for the year 2001.

SUBJECT: Taxicab Priority List Annual Renewal for 2001 (PD02101) (City Wide) - Page 2 of 2

For the year ending December 31, 2001, 137 individuals paid the fee to maintain their name on the Taxicab Priority List; therefore, four (4) names (marked as Appendix 'B') have been removed from the Taxicab Priority List for the former City of Hamilton.

For the year ending December 31, 2000, 15 names of individuals were renewed on the Taxicab Priority List for the former City of Stoney Creek.

On December 18, 2000, a reminder letter was sent by ordinary mail to all persons on the Taxicab Priority List for the former City of Stoney Creek advising them of the By-law requirements to remain on the list for the year 2001.

For the year ending December 31, 2001, 14 individuals paid the fee to maintain their name on the Taxicab Priority List; therefore, one (1) name (marked as Appendix 'D') has been removed from the Taxicab Priority List for the former City of Stoney Creek.

#### **ANALYSIS OF ALTERNATIVES:**

Not applicable.

#### FINANCIAL/STAFFING/LEGAL IMPLICATIONS:

Not applicable.

## POLICIES AFFECTING PROPOSAL:

Not applicable.

CONSULTATION WITH RELEVANT DEPARTMENTS/AGENCIES:

Not applicable.

#### CITY STRATEGIC COMMITMENT:

Not applicable.

:gs Attachs. (4)

D.	APPL' DATE	FIRST NAME	LAST NAME		
1			PARCO		
2		BARBARA JEAN	O'NEILL		
3			MAJOROS		
4	13-Feb-78		HATHAWAY		
5	15-Feb-78		JANKEVICIUS		
6	16-Feb-78		SNOW		
7	23-Feb-78		OFFEN		
8	07-Mar-78		KEPENYES		
9	03-Apr-78		WIENHOLD		
10			ZOUROB		
11		ISHAR SINGH	THIARA		
12			KUBINA		
13		PETER C.	ELDRIDGE		
14			DRISCOLL		
15			MUSCHIK		
16		GORDON	SIMIGIAN		
17		GARY A	VERE		
18		JUNE	LUKE		
19			GAGNON		
20		EDWARD J.	HALLORAN		
21			CHAFIC		
22		LEOPAULD G.	BEAUCHAMP		
23		HANNIBAL	RIZZUTO		
24		LEONARD	WILLETTS		
25		GERALD J.	TREMBLAY		
26			KROK		
27		GORDON	CUMMING		
28	<del></del>		SHEDHADEH		
29	<del></del>		BELLAMY		
30		DANIEL L.	BERNIER		
31		LORRAINE	MOONEY		
32	30-Oct-79	WILLIAM J.	PERKINS		
33	09-Nov-79	LARRY	ROBERGE		
34	14-Nov-79	ROGER	FRANCOEUR		
35	06-Dec-79	PETER	OBRATOSKI		
36	12-Feb-80	MARC STUART	HATHAWAY		
37			SHARMA		
38	27-Feb-80	ADELIA	BALICE		
39	28-Feb-80	COSIMO	BALICE		
40	14-Jul-80	ANTHONY PAUL	DICICCIO		
41		INAM-UR	REHMAN		
42	42 06-Oct-80 GURDIP S.		SOOR		
	43 05-Dec-80 MOHAMMAD		AHMED		
	44 18-Dec-80 WILLIAM T.		STOKOE		
45 22-Dec-80 KALOU			KALOUSTIAN		
46	23-Dec-80	ROBERT	KOCZERZAT		
47		SOLOMON	MARCELLIN		
48	07-Jan-81	RANDALL G.	CRUDEN		
49			WEISS		
50		SHIRLEY	HATHAWAY		
51	06-Aug-81	DANIEL	VELTRI		

NO.   APPL' DATE   FIRST NAME	NO.	ABDITDATE	EIDST NAME	LAST NAME		
53         24-Nov-81         WAYNE STEWART         MCGREGOR           54         18-Dec-81         LARRY E.         FITZPATRICK SR.           55         28-Jan-82         JOHN FRANCIS         MOONEY           56         28-Jan-82         ANTHONY F.         RIZZUTO           57         01-Feb-82         PHILIP         DALES           58         08-Feb-82         DRAGO         BASIC           59         26-Feb-82         JOHN C.         MACDONALD           60         18-Mar-82         THEODORS         TOMA           61         05-Apr-82         PUTRUS         ISAK           62         14-Apr-82         JOGINDAR SINGH         DHALIWAL           63         08-Jun-82         WILLIAM         KHAMMO           64         10-Jun-82         DONNA         BOURKE           65         24-Jun-82         WILLIAM         KHAMMO           66         24-Jun-82         ANDREA ROCHELLE         ROSART           67         21-Jul-82         THOMAS F.         SEBISTY           68         08-Oct-82         RICHARD         SINDALL           69         18-Oct-82         HARBANS SINGH         KALSI           70         01-						
54         18-Dec-81         LARRY E.         FITZPATRICK SR.           55         28-Jan-82         JOHN FRANCIS         MOONEY           56         28-Jan-82         JOHN FRANCIS         MOONEY           57         01-Feb-82         PHILIP         DALES           58         08-Feb-82         DRAGO         BASIC           59         26-Feb-82         JOHN C.         MACDONALD           60         18-Mar-82         THEODORS         TOMA           61         05-Apr-82         PUTRUS         ISAK           62         14-Apr-82         JOGINDAR SINGH         DHALIWAL           63         08-Jun-82         KEITH         JOHNSON           64         10-Jun-82         DONNA         BOURKE           65         24-Jun-82         WILLIAM         KHAMMO           66         24-Jun-82         MIDRAR ROCHELLE         ROSART           67         21-Jul-82         THOMAS F.         SEBISTY           68         08-Oct-82         RICHARD         SINDALL           69         18-Oct-82         RICHARD         SINDALL           60         18-Oct-82         WILLIAM G.         ROMANS           71         08-Nov-82 <td></td> <td colspan="2"></td> <td colspan="3"></td>						
55         28-Jan-82         JOHN FRANCIS         MOONEY           56         28-Jan-82         ANTHONY F.         RIZZUTO           57         01-Feb-82         PHILIP         DALES           58         08-Feb-82         DRAGO         BASIC           59         26-Feb-82         JOHN C.         MACDONALD           60         18-Mar-82         THEODORS         TOMA           61         05-Apr-82         PUTRUS         ISAK           62         14-Apr-82         JOGINDAR SINGH         DHALIWAL           63         08-Jun-82         KEITH         JOHNSON           64         10-Jun-82         DONNA         BOURKE           65         24-Jun-82         WILLIAM         KHAMMO           66         24-Jun-82         WILLIAM         KHAMMO           67         21-Jul-82         THOMAS F.         SEBISTY           68         08-Oct-82         RICHARD         SINDALL           69         18-Oct-82         HARBANS SINGH         KALSI           70         01-Nov-82         WILLIAM G.         ROMANS           71         08-Oct-82         AHMAD         MALIK           74         02-Feb-83         RON						
56         28-Jan-82         ANTHONY F.         RIZZUTO           57         01-Feb-82         PHILIP         DALES           58         08-Feb-82         DRAGO         BASIC           59         26-Feb-82         JOHN C.         MACDONALD           61         05-Apr-82         PUTRUS         ISAK           61         05-Apr-82         PUTRUS         ISAK           62         14-Apr-82         JOGINDAR SINGH         DHALIWAL           63         08-Jun-82         WILLIAM         KHAMMO           64         10-Jun-82         DONNA         BOURKE           65         24-Jun-82         WILLIAM         KHAMMO           66         24-Jun-82         ANDREA ROCHELLE         ROSART           67         21-Jul-82         THOMAS F.         SEBISTY           68         08-Oct-82         RICHARD         SINDALL           69         18-Oct-82         HARBANS SINGH         KALSI           70         01-Nov-82         MARK         GRANBY           71         08-Nov-82         WILLIAM G.         ROMANS           72         17-Dec-82         ELIZABETH JANE         MILLIGAN           73         23-Dec-83						
57         01-Feb-82         PHILIP         DALES           58         08-Feb-82         DRAGO         BASIC           59         26-Feb-82         JOHN C.         MACDONALD           60         18-Mar-82         THEODORS         TOMA           61         05-Apr-82         PUTRUS         ISAK           62         14-Apr-82         JOGINDAR SINGH         DHALIWAL           63         08-Jun-82         KEITH         JOHNSON           64         10-Jun-82         DONNA         BOURKE           65         24-Jun-82         MILLIAM         KHAMMO           66         24-Jun-82         ANDREA ROCHELLE         ROSART           67         21-Jul-82         THOMAS F.         SEBISTY           68         08-Oct-82         RICHARD         SINDALL           69         18-Oct-82         HARBANS SINGH         KALSI           70         01-Nov-82         WILLIAM G.         ROMANS           71         08-Nov-82         WILLIAM G.         ROMANS           72         17-Dec-82         ELIZABETH JANE         MILLIGAN           73         23-Dec-82         AHMAD         MALIK           74         02-Feb-83						
58         08-Feb-82 JOHN C.         MACDONALD           59         26-Feb-82 JOHN C.         MACDONALD           60         18-Mar-82 THEODORS         TOMA           61         05-Apr-82 PUTRUS         ISAK           62         14-Apr-82 JOGINDAR SINGH         DHALIWAL           63         08-Jun-82 KEITH         JOHNSON           64         10-Jun-82 DONNA         BOURKE           65         24-Jun-82 WILLIAM         KHAMMO           66         24-Jun-82 ANDREA ROCHELLE         ROSART           67         21-Jul-82 THOMAS F.         SEBISTY           68         08-Oct-82 RICHARD         SINDALL           69         18-Oct-82 HARBANS SINGH         KALSI           70         01-Nov-82 WILLIAM G.         ROMANS           72         17-Dec-82 ELIZABETH JANE         MILLIGAN           73         23-Dec-82 AHMAD         MALIK           74         02-Feb-83 RONALD         GEER           75         27-Apr-83 BASIL W.         SCIME           76         09-Jun-83 SANDRA         FUKUMOTO           77         04-Jul-83 DANE         HATHAWAY           78         19-Sep-83 BRENDA         ROBERGE           79         12-Jul-84 RU						
59         26-Feb-82         JOHN C.         MACDONALD           60         18-Mar-82         THEODORS         TOMA           61         05-Apr-82         PUTRUS         ISAK           62         14-Apr-82         JOGINDAR SINGH         DHALIWAL           63         08-Jun-82         KEITH         JOHNSON           64         10-Jun-82         DONNA         BOURKE           65         24-Jun-82         WILLIAM         KHAMMO           66         24-Jun-82         ANDREA ROCHELLE         ROSART           67         21-Jul-82         THOMAS F.         SEBISTY           68         08-Oct-82         RICHARD         SINDALL           69         18-Oct-82         HARBANS SINGH         KALSI           70         01-Nov-82         MARK         GRANBY           71         08-Nov-82         WILLIAM G.         ROMANS           72         17-Dec-82         ELIZABETH JANE         MILLIGAN           73         23-Dec-82         AHMAD         MALIK           74         02-Feb-83         RONALD         GEER           75         27-Apr-83         BASIL W.         SCIME           75         27-Apr-83						
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61						
62         14-Apr-82 JOGINDAR SINGH         DHALIWAL           63         08-Jun-82 KEITH         JOHNSON           64         10-Jun-82 DONNA         BOURKE           65         24-Jun-82 WILLIAM         KHAMMO           66         24-Jun-82 ANDREA ROCHELLE         ROSART           67         21-Jul-82 THOMAS F.         SEBISTY           68         08-Oct-82 RICHARD         SINDALL           69         18-Oct-82 HARBANS SINGH         KALSI           70         01-Nov-82 MARK         GRANBY           71         08-Nov-82 WILLIAM G.         ROMANS           72         17-Dec-82 ELIZABETH JANE         MILLIGAN           73         23-Dec-82 AHMAD         MALIK           74         02-Feb-83 RONALD         GEER           75         27-Apr-83 BASIL W.         SCIME           76         09-Jun-83 SANDRA         FUKUMOTO           77         04-Jul-83 DANE         HATHAWAY           78         19-Sep-83 BRENDA         ROBERGE           79         12-Jul-84 RUDOLPH A.         CIZEK           80         02-Aug-84 JEFFERSON LEE         JOHNSON           81         01-Oct-84 ALAN R.         KENT, SR.           82         03-Oc						
63         08-Jun-82         KEITH         JOHNSON           64         10-Jun-82         DONNA         BOURKE           65         24-Jun-82         WILLIAM         KHAMMO           66         24-Jun-82         ANDREA ROCHELLE         ROSART           67         21-Jul-82         THOMAS F.         SEBISTY           68         08-Oct-82         RICHARD         SINDALL           69         18-Oct-82         RICHARD         SINDALL           69         18-Oct-82         HARBANS SINGH         KALSI           70         01-Nov-82         MARK         GRANBY           71         08-Nov-82         WILLIAM G.         ROMANS           72         17-Dec-82         ELIZABETH JANE         MILLIGAN           73         23-Dec-82         AHMAD         MALIK           74         02-Feb-83         RONALD         GEER           75         27-Apr-83         BASIL W.         SCIME           76         09-Jun-83         SANDRA         FUKUMOTO           77         04-Jul-83         DANE         HATHAWAY           78         19-Sep-83         BRENDA         ROBERGE           79         12-Jul-84         RUD						
64         10-Jun-82         DONNA         BOURKE           65         24-Jun-82         WILLIAM         KHAMMO           66         24-Jun-82         ANDREA ROCHELLE         ROSART           67         21-Jul-82         THOMAS F.         SEBISTY           68         08-Oct-82         RICHARD         SINDALL           69         18-Oct-82         RICHARD         SINDALL           69         18-Oct-82         HARBANS SINGH         KALSI           70         01-Nov-82         MKK         GRANBY           71         08-Nov-82         WILLIAM G.         ROMANS           72         17-Dec-82         ELIZABETH JANE         MILLIGAN           73         23-Dec-82         AHMAD         MALIK           74         02-Feb-83         RONALD         GEER           75         27-Apr-83         BASIL W.         SCIME           76         09-Jun-83         SANDRA         FUKUMOTO           77         04-Jul-83         DANE         HATHAWAY           78         19-Sep-83         BRENDA         ROBERGE           79         12-Jul-84         RUDOLPH A.         CIZEK           80         02-Aug-84         J						
65         24-Jun-82         WILLIAM         KHAMMO           66         24-Jun-82         ANDREA ROCHELLE         ROSART           67         21-Jul-82         THOMAS F.         SEBISTY           68         08-Oct-82         RICHARD         SINDALL           69         18-Oct-82         HARBANS SINGH         KALSI           70         01-Nov-82         MKR         GRANBY           71         08-Nov-82         WILLIAM G.         ROMANS           71         08-Nov-82         WILLIAM G.         ROMANS           72         17-Dec-82         ELIZABETH JANE         MILLIGAN           73         23-Dec-82         AHMAD         MALIK           74         02-Feb-83         RONALD         GEER           75         27-Apr-83         BASIL W.         SCIME           76         09-Jun-83         SANDRA         FUKUMOTO           77         04-Jul-83         DANE         HATHAWAY           78         19-Sep-83         BRENDA         ROBERGE           79         12-Jul-84         RUDOLPH A.         CIZEK           80         02-Aug-84         JEFERSON LEE         JOHNSON           81         01-Oct-84						
66         24-Jun-82         ANDREA ROCHELLE         ROSART           67         21-Jul-82         THOMAS F.         SEBISTY           68         08-Oct-82         RICHARD         SINDALL           69         18-Oct-82         RICHARD         SINDALL           69         18-Oct-82         RICHARD         SINDALL           70         01-Nov-82         MARK         GRANBY           71         08-Nov-82         WILLIAM G.         ROMANS           71         08-Nov-82         WILLIAM G.         ROMANS           72         17-Dec-82         ELIZABETH JANE         MILLIGAN           73         23-Dec-82         AHMAD         MALIK           74         02-Feb-83         RONALD         GEER           75         27-Apr-83         BASIL W.         SCIME           76         09-Jun-83         SANDRA         FUKUMOTO           77         04-Jul-83         DANE         HATHAWAY           78         19-Sep-83         BRENDA         ROBERGE           79         12-Jul-84         RUDOLPH A.         CIZEK           80         02-Aug-84         JEFFERSON LEE         JOHNSON           81         01-Oct-84						
67         21-Jul-82         THOMAS F.         SEBISTY           68         08-Oct-82         RICHARD         SINDALL           69         18-Oct-82         HARBANS SINGH         KALSI           70         01-Nov-82         MARK         GRANBY           71         08-Nov-82         WILLIAM G.         ROMANS           72         17-Dec-82         ELIZABETH JANE         MILLIGAN           73         23-Dec-82         AHMAD         MALIK           74         02-Feb-83         RONALD         GEER           75         27-Apr-83         BASIL W.         SCIME           76         09-Jun-83         SANDRA         FUKUMOTO           77         04-Jul-83         DANE         HATHAWAY           78         19-Sep-83         BRENDA         ROBERGE           79         12-Jul-84         RUDOLPH A.         CIZEK           80         02-Aug-84         JEFFERSON LEE         JOHNSON           81         01-Oct-84         ALAN R.         KENT, SR.           82         03-Oct-84         AL         REICHERT           83         10-Oct-84         AL         REICHERT           84         22-Oct-84         ANN						
68         08-Oct-82         RICHARD         SINDALL           69         18-Oct-82         HARBANS SINGH         KALSI           70         01-Nov-82         MARK         GRANBY           71         08-Nov-82         WILLIAM G.         ROMANS           72         17-Dec-82         ELIZABETH JANE         MILLIGAN           73         23-Dec-82         AHMAD         MALIK           74         02-Feb-83         RONALD         GEER           75         27-Apr-83         BASIL W.         SCIME           76         09-Jun-83         SANDRA         FUKUMOTO           77         04-Jul-83         DANE         HATHAWAY           78         19-Sep-83         BRENDA         ROBERGE           79         12-Jul-84         RUDOLPH A.         CIZEK           80         02-Aug-84         JEFFERSON LEE         JOHNSON           81         01-Oct-84         ALAN R.         KENT, SR.           82         03-Oct-84         COLLETTE         ROBERGE           83         10-Oct-84         AL         REICHERT           84         22-Oct-84         ANNE         SCIME           85         14-Dec-84         MICHA						
69         18-Oct-82         HARBANS SINGH         KALSI           70         01-Nov-82         MARK         GRANBY           71         08-Nov-82         WILLIAM G.         ROMANS           72         17-Dec-82         ELIZABETH JANE         MILLIGAN           73         23-Dec-82         AHMAD         MALIK           74         02-Feb-83         RONALD         GEER           75         27-Apr-83         BASIL W.         SCIME           76         09-Jun-83         SANDRA         FUKUMOTO           77         04-Jul-83         DANE         HATHAWAY           78         19-Sep-83         BRENDA         ROBERGE           79         12-Jul-84         RUDOLPH A.         CIZEK           80         02-Aug-84         JEFFERSON LEE         JOHNSON           81         01-Oct-84         ALAN R.         KENT, SR.           82         03-Oct-84         COLLETTE         ROBERGE           83         10-Oct-84         AL         REICHERT           84         22-Oct-84         ANNE         SCIME           85         14-Dec-84         ZERE         TEWOLDE           86         19-Dec-84         MICHAEL<						
70         01-Nov-82         MARK         GRANBY           71         08-Nov-82         WILLIAM G.         ROMANS           72         17-Dec-82         ELIZABETH JANE         MILLIGAN           73         23-Dec-82         AHMAD         MALIK           74         02-Feb-83         RONALD         GEER           75         27-Apr-83         BASIL W.         SCIME           76         09-Jun-83         SANDRA         FUKUMOTO           77         04-Jul-83         DANE         HATHAWAY           78         19-Sep-83         BRENDA         ROBERGE           79         12-Jul-84         RUDOLPH A.         CIZEK           80         02-Aug-84         JEFFERSON LEE         JOHNSON           81         01-Oct-84         ALAN R.         KENT, SR.           82         03-Oct-84         COLLETTE         ROBERGE           83         10-Oct-84         AL         REICHERT           84         22-Oct-84         ANNE         SCIME           85         14-Dec-84         ZERE         TEWOLDE           86         19-Dec-84         MICHAEL         ROTH           87         28-Dec-84         RONALD W.						
71         08-Nov-82         WILLIAM G.         ROMANS           72         17-Dec-82         ELIZABETH JANE         MILLIGAN           73         23-Dec-82         AHMAD         MALIK           74         02-Feb-83         RONALD         GEER           75         27-Apr-83         BASIL W.         SCIME           76         09-Jun-83         SANDRA         FUKUMOTO           77         04-Jul-83         DANE         HATHAWAY           78         19-Sep-83         BRENDA         ROBERGE           79         12-Jul-84         RUDOLPH A.         CIZEK           80         02-Aug-84         JEFFERSON LEE         JOHNSON           81         01-Oct-84         ALAN R.         KENT, SR.           82         03-Oct-84         COLLETTE         ROBERGE           83         10-Oct-84         AL         REICHERT           84         22-Oct-84         ANNE         SCIME           85         14-Dec-84         ZERE         TEWOLDE           86         19-Dec-84         MICHAEL         ROTH           87         28-Dec-84         RONALD W.         MOROZ           88         26-Feb-85         MOHAMMAD NA						
72         17-Dec-82         ELIZABETH JANE         MILLIGAN           73         23-Dec-82         AHMAD         MALIK           74         02-Feb-83         RONALD         GEER           75         27-Apr-83         BASIL W.         SCIME           76         09-Jun-83         SANDRA         FUKUMOTO           77         04-Jul-83         DANE         HATHAWAY           78         19-Sep-83         BRENDA         ROBERGE           79         12-Jul-84         RUDOLPH A.         CIZEK           80         02-Aug-84         JEFFERSON LEE         JOHNSON           81         01-Oct-84         ALAN R.         KENT, SR.           82         03-Oct-84         COLETTE         ROBERGE           83         10-Oct-84         AL         REICHERT           84         22-Oct-84         ANNE         SCIME           85         14-Dec-84         ZERE         TEWOLDE           86         19-Dec-84         MICHAEL         ROTH           87         28-Dec-84         RONALD W.         MOROZ           88         26-Feb-85         MOHAMMAD NAEEM         KHAN           89         16-Jan-86         LEONARD <td></td> <td></td> <td></td> <td></td>						
73         23-Dec-82         AHMAD         MALIK           74         02-Feb-83         RONALD         GEER           75         27-Apr-83         BASIL W.         SCIME           76         09-Jun-83         SANDRA         FUKUMOTO           77         04-Jul-83         DANE         HATHAWAY           78         19-Sep-83         BRENDA         ROBERGE           79         12-Jul-84         RUDOLPH A.         CIZEK           80         02-Aug-84         JEFFERSON LEE         JOHNSON           81         01-Oct-84         ALAN R.         KENT, SR.           82         03-Oct-84         COLLETTE         ROBERGE           83         10-Oct-84         AL         REICHERT           84         22-Oct-84         ANNE         SCIME           85         14-Dec-84         ZERE         TEWOLDE           86         19-Dec-84         RONALD W.         MOROZ           88         26-Feb-85         MOHAMMAD NAEEM         KHAN           89         16-Jan-86         LEONARD         ROBERGE           90         31-Jan-86         KARLIS         VALODZE           91         06-Feb-86         RUDOLF J.						
74         02-Feb-83         RONALD         GEER           75         27-Apr-83         BASIL W.         SCIME           76         09-Jun-83         SANDRA         FUKUMOTO           77         04-Jul-83         DANE         HATHAWAY           78         19-Sep-83         BRENDA         ROBERGE           79         12-Jul-84         RUDOLPH A.         CIZEK           80         02-Aug-84         JEFFERSON LEE         JOHNSON           81         01-Oct-84         ALAN R.         KENT, SR.           82         03-Oct-84         COLLETTE         ROBERGE           83         10-Oct-84         AL         REICHERT           84         22-Oct-84         ANNE         SCIME           85         14-Dec-84         ZERE         TEWOLDE           86         19-Dec-84         RONALD W.         MOROZ           88         26-Feb-85         MOHAMMAD NAEEM         KHAN           89         16-Jan-86         LEONARD         ROBERGE           90         31-Jan-86         KARLIS         VALODZE           91         06-Feb-86         RUDOLF J.         WEBER           92         02-Jul-86         MICHAEL <td></td> <td></td> <td></td> <td></td>						
75         27-Apr-83         BASIL W.         SCIME           76         09-Jun-83         SANDRA         FUKUMOTO           77         04-Jul-83         DANE         HATHAWAY           78         19-Sep-83         BRENDA         ROBERGE           79         12-Jul-84         RUDOLPH A.         CIZEK           80         02-Aug-84         JEFFERSON LEE         JOHNSON           81         01-Oct-84         ALAN R.         KENT, SR.           82         03-Oct-84         COLLETTE         ROBERGE           83         10-Oct-84         AL         REICHERT           84         22-Oct-84         ANNE         SCIME           85         14-Dec-84         ZERE         TEWOLDE           86         19-Dec-84         MICHAEL         ROTH           87         28-Dec-84         RONALD W.         MOROZ           88         26-Feb-85         MOHAMMAD NAEEM         KHAN           89         16-Jan-86         LEONARD         ROBERGE           90         31-Jan-86         KARLIS         VALODZE           91         06-Feb-86         RUDOLF J.         WEBER           92         02-Jul-86         MICHAEL <td></td> <td></td> <td></td> <td></td>						
76         09-Jun-83         SANDRA         FUKUMOTO           77         04-Jul-83         DANE         HATHAWAY           78         19-Sep-83         BRENDA         ROBERGE           79         12-Jul-84         RUDOLPH A.         CIZEK           80         02-Aug-84         JEFFERSON LEE         JOHNSON           81         01-Oct-84         ALAN R.         KENT, SR.           82         03-Oct-84         COLLETTE         ROBERGE           83         10-Oct-84         AL         REICHERT           84         22-Oct-84         ANNE         SCIME           85         14-Dec-84         ZERE         TEWOLDE           86         19-Dec-84         MICHAEL         ROTH           87         28-Dec-84         RONALD W.         MOROZ           88         26-Feb-85         MOHAMMAD NAEEM         KHAN           89         16-Jan-86         LEONARD         ROBERGE           90         31-Jan-86         KARLIS         VALODZE           91         06-Feb-86         RUDOLF J.         WEBER           92         02-Jul-86         MICHAEL         GEER           93         03-Jul-86         DENISE						
77         04-Jul-83         DANE         HATHAWAY           78         19-Sep-83         BRENDA         ROBERGE           79         12-Jul-84         RUDOLPH A.         CIZEK           80         02-Aug-84         JEFFERSON LEE         JOHNSON           81         01-Oct-84         ALAN R.         KENT, SR.           82         03-Oct-84         COLLETTE         ROBERGE           83         10-Oct-84         AL         REICHERT           84         22-Oct-84         ANNE         SCIME           85         14-Dec-84         ZERE         TEWOLDE           86         19-Dec-84         MICHAEL         ROTH           87         28-Dec-84         RONALD W.         MOROZ           88         26-Feb-85         MOHAMMAD NAEEM         KHAN           89         16-Jan-86         LEONARD         ROBERGE           90         31-Jan-86         KARLIS         VALODZE           91         06-Feb-86         RUDOLF J.         WEBER           92         02-Jul-86         MICHAEL         GEER           93         03-Jul-86         DENISE         GEORGIAN           94         05-Aug-86         SHABIR						
78         19-Sep-83 BRENDA         ROBERGE           79         12-Jul-84 RUDOLPH A.         CIZEK           80         02-Aug-84 JEFFERSON LEE         JOHNSON           81         01-Oct-84 ALAN R.         KENT, SR.           82         03-Oct-84 COLLETTE         ROBERGE           83         10-Oct-84 AL         REICHERT           84         22-Oct-84 ANNE         SCIME           85         14-Dec-84 ZERE         TEWOLDE           86         19-Dec-84 MICHAEL         ROTH           87         28-Dec-84 RONALD W.         MOROZ           88         26-Feb-85 MOHAMMAD NAEEM         KHAN           89         16-Jan-86 LEONARD         ROBERGE           90         31-Jan-86 KARLIS         VALODZE           91         06-Feb-86 RUDOLF J.         WEBER           92         02-Jul-86 MICHAEL         GEER           93         03-Jul-86 DENISE         GEORGIAN           94         05-Aug-86 SHABIR         AHMED           95         05-Sep-86 HABTE-AB         TECHLE-MARIAM           96         23-Oct-86 PETER H.         ROBERTSON           97         15-Dec-86 JEFF         SINDALL           98         29-Dec-86 SHAHID						
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101 05-Jan-87 BASHARAT BUTT						
102 09-Jan-87 ERIC SHEPHERD						
	102	09-Jan-87	ERIC	SHEPHERD		

MQ.	APPI'DATE	FIRST NAME	LACTALANE	
103			LAST NAME	
			LEPINE	
104		GORDON A.	GREB	
105	01-May-87	JUSEPH	VANDERHEYDEN	
106	29-May-87	KENNETH C.	REICHERT	
107	31-Aug-87	ALISA A.	CLEARY	
108		BONNIE L.	GEER	
109	21-Dec-87		VARGA	
110		FREDERICK J.	MULDOON	
111	06-Jan-88		POSTERARO	
112	13-Jan-88		MULTANI	
113		MOHAMMAD	FAROOQ	
114	22-Feb-88		KOLENKO	
115	22-Feb-88		ARTHURS	
116	26-Feb-88		FERGUSON	
117	31-Mar-88		COSGROVE	
118	25-Apr-88		JOHNSON	
119		PANTELIS	ILIOS	
120	11-May-88	FARRUKH	QURESHI	
121	07-Aug-88	RONALD	AIRTH	
122	06-Sep-88	CLAUDIO	BALICE	
123	19-Sep-88	GHULAM N.	BUTT	
124	20-Oct-88	MICHAEL G.	FORD	
125	04-Nov-88	ROBERT	MASCHEWSKI	
126	11-Jan-89	BRENT J.	DAWSON	
127	13-Jan-89	RAY	MAURICE	
128	24-Jan-89	JERRY	ZARASKI	
129	13-Feb-89	LARRY P.E.	BROADBENT	
130	13-Jul-89	JOSEPHINE	RIZZUTO	
131	26-Jul-89	PETER	RIHBANY	
132	15-Jun-90			
133	31-Aug-90	GAIL	RIZZUTO-DOWLING	
134	20-Feb-91			
135	17-Apr-91	TOKUNBO (DAVE)	OGUNLADE	
136		JAGTAR SINGH	CHAHAL	
137	04-Sep-92	ANGELA	RIZZUTO-ECKLUND	

Licensing Committee May 22, 2002

Appendix 'B' to PD02101 PERSONS REMOVED FROM THE TAXI-CAB PRIORITY LIST JANUARY 1, 2002 BISSETT VOLOUNDAKIS SYED LAST NAME WINSHIP (former City of Hamilton)

NO. APPL' DATEFIRST NAME

12 05-Dec-78 WILLIAM T.

36 18-Dec-79 DANIEL M.

40 26-Mar-80 PAUL

121 24-Jun-88 IJAZ H.

NO.	APPL'N DATE	FIRST NAME	LAST NAME
1	23-Jun-87	HUGO	DIFRANCESCO
2	23-Jun-87	MARY ANN	DIFRANCESCO
3	23-Jun-87	DOROTHY	VAN KLEEF-HUNT
4	23-Jun-87	VALENTINO	DALBELLO
5	23-Jun-87		DALBELLO
6	23-Jun-87	MARY	MARTINAC
7	23-Jun-87	TOM	PARCO
8	12-Apr-88	MEL	MCGUIGAN
9		GINA-MARIA	MCGUIGAN
10	12-Apr-88	ANGELA	MCGUIGAN
11	24-May-88	OLINDO	DALBELLO
12	27-Sep-88	WILLIAM	ROMANS
13	25-Apr-95	JOHN CONNELLY	MCGOVERN
14	28-Jun-88	RODGER	MCEACHERN

Licensing Committee May 22, 2002

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Appendix 'D' to PD02101						
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City of Hamilton

Municipal Librarian, Hamilton Public Library

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**GOVERNMENT DOCUMENTS** 

## **NOTICE OF MEETING**

# **LICENSING COMMITTEE**

Please be advised that the Licensing Committee will meet on

Thursday, July 11, 2002

5:00 p.m.

Committee Room 110
Hamilton City Hall
71 Main Street West
Hamilton, Ontario

**Agendas and Parking Permits will follow** 





# City of Hamilton

# NOTICE OF MEETING CANCELLATION

# LICENSING COMMITTEE

Please be advised that the Licensing Committee meetings which were to have been held on

Tuesday, June 18, 2002 at 5:00 p.m. and
Thursday, June 27, 2002 at 2:00 p.m.

**HAVE BEEN CANCELLED** 



# URBAN MUNICIPAL

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City of Hamilton

URBAN MUNICIPAL

JUL 10 2002

GOVERNMENT DOCUMENTS

# **AGENDA**

# **LICENSING COMMITTEE**

Thursday, July 11, 2002

5:00 p.m.

Committee Room 110
Hamilton City Hall
71 Main Street West
Hamilton, Ontario



ADJOURNMENT

5.

1.	DECLARATION OF INTEREST		
2.	APPROVAL OF MINUTES		
	2.1	May 22, 2002	
3.	PRIV	PRIVATE & CONFIDENTIAL AGENDA	
	3.1	Show Cause Hearings:	
		3.1.1 Taxi Cab Driver Licence – George Gluchowski	
		3.1.2 Taxi Cab Driver Licence – Mohsin Malik	
		3.1.3 Taxi Cab Driver Licence – Faisal Abdalla	
		(Confidential background material available at meeting)	
4.	OTHER BUSINESS		





# City of Hamilton Licensing Committee MINUTES

Wednesday, May 22, 2002 5:00 p.m. Room 110, Hamilton City Hall 71 Main Street West, Hamilton

Present:

Councillors S. Merulla, B. Kelly, D. Mitchell, N. Desjardins, R. Naim

Regrets:

Det.Sqt. Wills, Hamilton Police Services

Also Present:

D. Beck, Legal

D. Rose, J. Downey, R. Charlton - Building

S. Glover, City Clerk's Office

Councillor Sam Merulla, (Chairperson) called the meeting to order.

# THE FOLLOWING ITEMS WERE REPORTED TO COMMITTEE OF THE WHOLE:

1. Barry Humphry Enterprises Ltd. 735 Mud Street – Salvage Yard and Public Garage Licence (PD02104)(Ward 11) (Item 3.1.2)

(Kelly/Mitchell)

That the renewal licences of a Salvage Yard and Public Garage (Auto Body Repair & Mechanical Repairs) for 735 Mud Street be issued with a new condition:

That Barry Humphry Enterprises Limited comply with the requirements of Paragraph 4 of an Agreement dated December 22, 1988, between Barry Humphry Enterprises Limited and The Corporation of the City of Stoney Creek and Barry Humphry, and registered against title to the subject lands as Instrument No. 492274 CD on January 26, 1989.

# 2. Phillip Ryerson – Cab Driver Licence (Item 3.1.3)

### (Mitchell/Desjardins)

That the Taxi Cab Driver Licence application of Phillip Ryerson be granted subject to the following condition:

Submission of an updated criminal record to the Issuer of Licences in six months from the date of issuance of the licence.

**CARRIED** 

### 3. Jatinder Gill – Cab Driver Licence (Item 3.1.4)

### (Nairn/Kelly)

That the Taxi Cab Driver Licence application of Jatinder Gill be granted subject to the following condition:

Submission of an updated driving abstract to the Issuer of Licences in six months from the date of issuance of the licence.

**CARRIED** 

# 4. Renewal of Taxi Plates Report (PD02103) (City Wide) (Item 4.3)

# (Mitchell/Kelly)

That the estate of Paul Vacsi be granted an extension to comply with Section 19 of the former City of Stoney Creek Public Vehicle Licensing By-law 4413-98 Section 19(1) and that the extension be no longer than 30 days after the passing of the new by-law licensing and regulating taxicabs in the City of Hamilton.

**CARRIED** 

# 5. Taxicab Priority List Annual Renewal for 2001 (PD02101) (Affects the former City of Hamilton and the former City of Stoney Creek) (Item 4.4)

# (Desjardins/Nairn)

- (i) That the Taxicab Priority List attached to Report PD02101 as Appendix "A", consisting of 137 names of individuals who have renewed their names on the Taxicab Priority List for the year 2001, in accordance with the Former City of Hamilton Licensing By-law 98-203, be approved,
- (ii) That the Taxicab Priority List attached to Report PD02101 as Appendix "C", consisting of 14 names of individuals who have renewed their names on the Taxicab Priority List for the year 2001, in accordance with the Former City of Stoney Creek By-law 4413-96, be approved.

#### FOR INFORMATION PURPOSES:

(a) Declarations of Interest (Item 1)

None

(b) Approval of Minutes (Item 2)

(Desjardins/Nairn)

The Minutes of Meeting held March 20, 2002 were adopted.

**CARRIED** 

(c) In Camera (Items 3.1 and 4.5)

(Mitchell/Nairn)

The Committee moved in camera to hold show cause hearings, and to receive a verbal update from legal counsel with respect to the status of citizen members and police representative on the Licensing Committee.

**CARRIED** 

(Nairn/Mitchell)

The Committee moved out of camera

**CARRIED** 

Resuming in open session, the Committee recommended to Council the foregoing Items 1. to 5. The Committee also recommended the following:

(Desjardines/Nairn)

(i) That the request by Henry Choi and Mary Fornasa for an adjournment of the Show Cause Hearing with regard to the Residential Care Facility Licence at 995 Main Street East be granted.

**CARRIED** 

(d) Establishment of an Aromatherapy Working Committee (PD02024(a))(City Wide) Item 4.1

Committee was in receipt of the above noted report from the General Manager, Planning and Development Department and approved the following:

Mitchell/Nairn)

(i) That staff be given the authority to establish an Aromatherapy Working Committee, which will be comprised of staff and members of the alternative health care industry.

(e) 928 Brock Road – Public Garage Licence (PD02107) and (PD02107(a) (Ward 14) (Item 4.2)

The Committee was in receipt of reports from the General Manager, Planning and Development Department and approved the following:

(Kelly/Nairn)

- (i) That Report PD020107 respecting a public garage licence at 928 Brock Road be received for information;
- (ii) That at the request of the Issuer of Licences a special hearing date be held to consider whether the licences issued to Frank Ivanic operating as Split Auto Body Service at 938 Brock Road should be revoked.

**CARRIED** 

(f) Other Business (item 5)

None

(g) Adjournment (Item 6)

(Kelly/Mitchell)

The Licensing Committee adjourned at 6:00 p.m.

**CARRIED** 

**Councillor Sam Merulla, Chairperson, City of Hamilton Licensing Committee** 

**Stella Glover, Legislative Assistant,** May 22, 2002

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# City of Hamilton

# **AGENDA**

# **LICENSING COMMITTEE**

Wednesday, November 20, 2002

5:00 p.m.

Committee Room 110 Hamilton City Hall 71 Main Street West Hamilton, Ontario



1.	DECLARATION OF INTEREST		
	4.00		
2.	APP	APPROVAL OF MINUTES	
	2.1	September 18, 2002	
3.	PRIVATE & CONFIDENTIAL AGENDA		
	3.1	Show Cause Hearing:	
		Building Repair Contractor and Master Licences – Darcy McLean	
		(Confidential background material available at meeting)	
4.	LICE	NSING SECRETARY	
		NONE CLOKETAKT	
	4.1	Proposed Schedule for 2003 Licensing Committee Meetings	
6.	ОТН	ER BUSINESS	
7.	ADJC	ADJOURNMENT	





# City of Hamilton Licensing Committee MINUTES

Wednesday, September 18, 2002 5:00 p.m. Room 110, Hamilton City Hall 71 Main Street West, Hamilton

Present:

Councillors S. Merulla, D. Mitchell, B. Kelly

Regrets:

N. Desjardins, R. Nairn

Also Present:

Councillor A. Horwath

D. Beck, Legal

D. Rose, J. Downey - Building S. Glover, City Clerk's Office

Councillor Sam Merulla, (Chairperson) called the meeting to order.

# THE FOLLOWING ITEMS WERE REPORTED TO COMMITTEE OF THE WHOLE:

1. Sarbjit Singh Phull – Taxi Cab Driver Licence (Item 3.1.2)

(Kelly/Mitchell)

That the Taxi Cab Driver Licence application of Sarbjit Singh Phull be denied due to the applicant's criminal and driving record.

**CARRIED** 

2. Chez M (Maxim's), 95 King Street East – Transfer Adult Entertainment Parlour Licence (PD01209(b)) (City Wide)(Item 4.1)

(Kelly/Mitchell)

That licensing staff be directed to issue the Adult Entertainment Parlour Licence for 95 King Street East to Mr. Norman Zamosc, 1484167 Ontario Ltd. (operating as Maxim's) subject to the same conditions which were imposed on the previous licence holder, as follows:

(a) That the licensee comply with all by-laws and other laws.

- (b) That the licensee is to provide the Hamilton Police with a letter of authority, which enables the Police to ban anyone from the premises that they deem undesirable for the betterment of the community.
- (c) That the licensee notifies the Issuer of Licences of any change in its corporate structure.
- (d) That the licensee provide the Issuer of Licences with a current list of employees and reports any changes to the list.
- (e) That the licensee notify the Issuer of Licences of any persons who acquire financial interest in the business or premises.
- (f) That any violations of the above conditions will result in an immediate Show Cause Hearing.
- (g) That the licensee comply with the requirement of an Order dated June 19, 2002, issued under City of Hamilton Property Standards By-law No. 98-243.
- (h) That the City of Hamilton Licensing Committee will review the Adult Entertainment Parlour Licence in 6 months from the date of commencement of operation.

**CARRIED** 

#### FOR INFORMATION PURPOSES:

(a) Declarations of Interest (Item 1)

None

(b) Approval of Minutes (Item 2)

(Kelly/Mitchell)

The Minutes of Meeting held July 11, 2002 were adopted as presented.

CARRIED

(c) Show Cause Hearings - In Camera (Items 3.1.1 and 3.1.2)

(Mitchell/Kelly)

The Committee moved in camera to hold Show Cause Hearings

CARRIED

(Kelly/Mitchell)

The Committee moved out of camera

Resuming in open session, the Committee agreed as follows:

(i) Darcy McLean – Building Repair Contractor and Master Licences (Item 3.1.1)

(Mitchell/Kelly)

That the request to postpone the hearing with regard to the Building Repair Contractor and Master Licence application of Darcy McLean until November 20, 2002, be granted.

**CARRIED** 

(ii) Sarbjit Singh Phull - Taxi Cab Driver Licence (Item 3.1.2)

(Kelly/Mitchell)

That the Taxi Cab Driver Licence application of Sarbjit Singh Phull be denied due to the applicant's criminal and driving record.

**CARRIED** 

(d) Control Structure for Issuance of Licences (Added Item)

(Mitchell/Kelly)

Licensing Staff were directed to report back to Committee with criteria for issuing licences with a view to structured controls.

**CARRIED** 

(e) Chez M (Maxim's), 95 King Street East – Transfer Adult Entertainment Parlour Licence (PD01209(b)) (City Wide) (Item 4.1)

Doug Rose, Manager of Standards and Licensing, addressed the Report.

Sgt. Ron Hayward of Hamilton Police Services advised the Committee of an ongoing investigation being conducted by the police and the Alcohol and Gaming Commission of Ontario. He said the police position was that they wished no licences to be issued until this investigation is complete. They also expressed concerns that a previous owner may still have some involvement with the business.

The owner and applicant, Mr. Norman Zamosc, asked how long the investigation was likely to take, to which the police representative responded that he did not know.

Mr. Zamosc informed the Committee that he ran a clean operation, had never been in trouble, and felt that he deserved to have the licence issued.

Councillor Andrea Horwath, the ward councillor, spoke of efforts to make the downtown more people and pedestrian friendly, and stated that she would prefer this type of operation not be in the downtown area.

### (Mitchell/Kelly)

Moved to go in camera to receive a legal opinion.

**CARRIED** 

### (Kelly/Mitchell)

Moved to go out of camera.

**CARRIED** 

### (Kelly/Mitchell)

Moved to receive the report and recommended issuance of the licence with conditions.

**CARRIED** 

# (f) Public Garage Licence at 928 Brock Road (Item 5.1)

The Committee directed that a Show Cause Hearing be rescheduled with regard to the Public Garage Licence at 928 Brock Road.

### (g) Other Business (item 6)

# (i) Persons Operating without a Licence

Councillor Mitchell advised of complaints received with regard to two persons operating without a plumbers licence. Staff was directed to investigate and take the necessary action to rectify this situation.

# (ii) Residential Care Facility

Doug Rose advised the Committee of a situation with regard to a retirement home (residential care facility) which was refusing to allow access to city inspectors and nurses. Staff advised that they are in the process of obtaining a search warrant. The home has 52 residents and the operators have contacted Provincial and Federal Members of Parliament in this regard.

Mr. Rose stated that he will be reporting back to the Committee in this matter.

Committee thanked Mr. Rose for update and suggested that he also make the ward councillor aware of this situation.

(h) Adjournment (Item 7)(Kelly/Mitchell)The Licensing Committee adjourned at 5.10 p.m.

**CARRIED** 

**Councillor Sam Merulla, Chairperson, City of Hamilton Licensing Committee** 

Stella Glover, Legislative Assistant, September 18, 2002



# **PROPOSED**

# CITY OF HAMILTON LICENSING COMMITTEE 2003 Meeting Schedule

All Meetings will be held in Committee Room 264 at 5 p.m. on Wednesdays

January 15

March 19

**May 21** 

Meetings in June and July will be at the call of the Chair

August 6

October 22





